

SCS HB 41 -- SCHOOL FUNDING FORMULA

This bill removes provisions of law regarding the school funding formula that are obsolete.

CCS SCS HCS HB 42 -- ELEMENTARY AND SECONDARY EDUCATION

This bill changes the laws regarding elementary and secondary education.

DEFINITIONS (Sections 160.011 and 167.848, RSMo)

The definition of "graduation rate" is revised to the graduation rate determined by the annual performance report required by the Missouri School Improvement Program.

The bill adds various definitions for terms regarding student transfers.

CHARTER SCHOOLS (Section 160.400)

Currently, charter schools may only be operated in specified school districts. The bill adds that they may be operated in a school district with all or most of its land area located in Jackson County except in school districts that are accredited without provisions and with less than 3,000 resident students. A district with most or all of its land in St. Louis County may also operate a charter under these provisions.

The bill repeals the requirement that a two-year private vocational or technical school be a member of the North Central Association to be a charter school sponsor and the requirement that a school district with a changing accreditation status that affects charter schools stay provisionally accredited or accredited for three consecutive school years.

The bill requires that the contract between a sponsor and a charter school contain performance consequences aligned with annual performance report evaluations of public schools.

A sponsor's policies and procedures must require charter schools to meet current state academic performance standards as well as other standards agreed upon by the sponsor and the charter school in the performance contract.

When a sponsor notifies a charter school of closure, the Department of Elementary and Secondary Education must withhold funds to assure all obligations of the charter school are met. The state, charter school's sponsor, or resident district are not liable for any outstanding liability or obligations of the charter school.

APPLICATION AND APPROVAL EXEMPTION (Section 160.403)

The bill exempts the Missouri Charter Public School Commission from the Department of Elementary and Secondary Education's application and approval process for entities eligible to be sponsors.

CHARTER SCHOOL AND SPONSOR (Section 160.405)

A charter must include a time frame for implementation between a charter school and the sponsor as to when a sponsor will intervene in a charter school.

Currently, the State Board of Education must approve a charter by December 1 of the year prior to the proposed opening date of the charter school. Instead, the State Board of Education is required to approve a charter by January 31 prior to the school year that is the proposed opening date of the charter school.

Currently, when a sponsor approves a charter and submits the application to the state board, it must include a statement of finding that the application meets statutory requirements. This bill requires the sponsor to prepare the statement of finding.

The state board must approve or disapprove a charter application within 60 days of its receipt. If the state board disapproves a charter application, it must do so in writing and identify the specific failures of the application to meet statutory requirements. The written disapproval must be provided to the sponsor within 10 business days.

The bill allows charter schools to provide early childhood education if specified in the charter.

Currently, a sponsor may place a charter school on probationary status for no more than 12 months. The bill increases the amount of time a charter school may be on probationary status to 24 months.

A charter school that has an annual performance report consistent with a classification of accredited for three of the last four years and is fiscally viable may have an expedited renewal process as defined by rule of the Department of Elementary and Secondary Education.

The department must calculate an annual performance report for each charter school and must publish it in the same manner as they are calculated and published for districts and attendance centers.

The department must create a committee to investigate facility access and affordability for charter schools. This committee must report its findings to the General Assembly by December 31, 2015.

HIGH-QUALITY LOCAL EDUCATION AGENCIES (Section 160.408)

The bill allows high-quality local education agencies, as defined in these provisions, to be provided expedited opportunities to replicate and expand into unaccredited districts, provisionally unaccredited districts, the St. Louis City School District, the Kansas City School District, St. Louis County, and Jackson County except for districts in Jackson County that have less than 3,000 students and are accredited without provisions.

A high-quality local educational agency must receive 80% or more on its annual performance report in three of the previous four school years, maintain a graduation rate of at least 80% for three of the last four school years, be in material compliance with its performance contract and the charter school laws, and be organizationally and fiscally viable.

The term of the charter must be five years and may be renewed for terms up to 10 years.

NONRESIDENT PUPILS (Section 160.410)

Charter schools must enroll nonresident pupils who are residents of Missouri and whose parents are employed at the charter school and must enroll nonresident pupils from unaccredited schools in the same or an adjoining county who are unable to transfer to an accredited school in their district of residence.

A charter school's lottery system must not discriminate based on the parents' ability to pay fees or tuition.

The bill changes how students are counted in the performance of the charter school on the statewide assessments. The charter school must include students in the charter school present on the last Wednesday in September through the administration of the Missouri Assessment Program test without transferring out of the school and re-enrolling.

WEIGHTED AVERAGE DAILY ATTENDANCE (Section 160.415)

A charter school's weighted average daily attendance must be adjusted to include any nonresident pupil who is a resident of Missouri and attends the charter school and whose parent is employed there.

A charter school may receive tuition payments for nonresident students who transfer to it from an unaccredited school.

REQUIRED SCHOOL TIME (Section 160.417)

The bill changes the phrase number of school days and hours required to the minimum amount of school time required.

MISSOURI CHARTER PUBLIC SCHOOL COMMISSION (Section 160.425)

The Missouri Charter Public School Commission may employ staff as needed to carry out its duties. Commission employees will be considered state employees for purposes of retirement and health plans.

The bill creates the Missouri Charter Public School Commission Revolving Fund in the state treasury.

LOCAL SCHOOL BOARD SPONSORS (Section 163.036)

When a local school board sponsors a charter school, it must only be permitted to use an estimate of the district's weighted average daily attendance for the current year and must not be permitted to use a

weighted average daily attendance count from any preceding year for purposes of determining the amount of state aid to which it is entitled.

SCHOOL DISTRICT ACCREDITATION (Section 161.084)

Before the State Board of Education classifies a school district as unaccredited or reclassifies an accredited district as provisionally accredited, if there is no state board member who is a resident of the congressional district in which the affected district is located, the state board must notify the Governor of its intent to change the classification. The Governor must make the appointment within 30 days of the notification.

CLASSIFICATION DESIGNATIONS (Section 161.087)

When the State Board of Education assigns classification designations to school districts, it must use one of the following designations: unaccredited, provisionally accredited, accredited, and accredited with distinction.

The state board must develop and implement a process to provide assistance teams to borderline districts, as determined by the Department of Elementary and Secondary Education, and to underperforming districts upon assignment of a classification of unaccredited or provisionally accredited or a determination made by the state board. Each team must have at least 10 members, including two active classroom teachers in the district, two principals, and one parent of a student in the district. The department staff member assigned to the region may be included in the team's activities but must not be formally assigned to the team. The team must provide recommendations for improvement based on the needs of the community and the district and an analysis of, at a minimum, the assessment data, classroom practices, and the communication processes within buildings, within the district, and with the community. The team must provide recommendations by June 30, 2016. Assignment of teams must be prioritized by the state board so that districts with the lower annual performance report scores are addressed first. The suggestions must be mandatory for underperforming districts but not for borderline districts. If an underperforming district disagrees with any suggestion of the assistance team, the district must propose a different method of accomplishing the goal of the team's suggestion, and the state board must be the final arbiter of the matter.

ATTENDANCE CENTER ACCREDITATION (Section 161.238)

The State Board of Education must adopt a system of classification that accredits individual attendance centers except for attendance centers that do not offer classes above a second grade level.

The policy must require that an attendance center's classification be based solely on a three-year average of the attendance center's annual performance report scores using the three most recent years and the state board must assign a classification consistent with the three-year average score.

The state board must implement the policy and

(1) Within 45 days of the effective date of these provisions, for each district that is classified as unaccredited by the state board at that time, classify each of the unaccredited district's attendance centers separately from the district as a whole using the classification designations provided in Section 161.087;

(2) Within 90 days of the effective date of these provisions, for each district that is classified as provisionally accredited by the state board at that time, classify each of the provisionally accredited district's attendance centers separately from the district as a whole using the classification designations provided in Section 161.087; and

(3) By January 1, 2016, for each urban school district, St. Louis City School District, Kansas City School District, and school districts with most or all of their land in St. Louis County, classify each of the district's attendance centers separately from the district as a whole using the classification designations provided in Section 161.087.

These classifications must become effective immediately and remain in effect until the state board develops, adopts, and implements the classification system required by these provisions. Then, the new system of classification must be used.

By January 1, 2016, the state board must, through administrative rule, develop a system of classification that accredits attendance centers, except for those that do not offer classes above a second grade level, within a district separately from the district as a whole using the classification designations provided in Section 161.087.

Attendance centers must be assigned one of the following classification designations: unaccredited, provisionally accredited, accredited, or accredited with distinction.

The state board may assign classification numbers outside the range of numbers assigned to high schools, middle schools, junior high schools, or elementary schools as classification designations for attendance centers that are exempt from the accreditation classification system. Public separate special education schools within a special school district are exempt from these accreditation requirements. However, a special school district must continue to report all scores on its annual performance report to the department for all of its schools. A juvenile detention center within a special school district is exempted from these accreditation standards.

Upon adoption of the classification system described in these provisions, the state board may change any classification it has assigned to an attendance center.

An attendance center that does not offer classes above the second grade level must be exempt from any requirements related to statewide assessments.

These provisions must be effective 30 days after publication in the Code of State Regulations and must not be subject to the statutory two-year delayed effective date.

SCHOOL TRANSFER AND IMPROVEMENT TASK FORCE (Section 161.1000)

The bill establishes the School Transfer and Improvement Task Force within the Department of Elementary and Secondary Education. The task force will study the following: means to address failing schools, including a school improvement district; developing options for school transfer finance formulas; best practices for how to design and finance public virtual and blended schools; best practices and possible pilot projects to assist transient students; options for comprehensive school quality indicators leading to student success; options for school quality review models based on successful review models currently in use; options for locally-created assessment and accountability systems; and best practices in parent and community engagement. The task force will consist of the following members:

(1) Three members of the Senate, appointed by the President Pro Tem of the Senate, with not more than two from the same party;

(2) One member from an education policy research organization in Missouri, appointed by the President Pro Tem of the Senate;

(3) Three members of the House of Representatives, appointed by the Speaker, with not more than two from the same party;

(4) One member from a statewide business association, appointed by the Speaker of the House of Representatives;

(5) The Commissioner of Education, or his or her designee;

(6) One member from an education organization consisting exclusively of elected officials, appointed by the Commissioner of Education; and

(7) The Lieutenant Governor, or his or her designee. The task force must make recommendations by February 1, 2016 to the General Assembly. The task force will expire on April 30, 2016.

DYSLEXIA (Sections 161.1005 and 633.420)

The bill:

(1) Requires, by July 1, 2016, the Department of Elementary and Secondary Education to employ a dyslexia therapist, licensed psychometrist, licensed speech-language pathologist, certified academic language therapist, or certified training specialist to serve as the department's dyslexia specialist who has a minimum of three years of field experience in screening, identifying, and treating dyslexia and related disorders;

(2) Requires the department to ensure that the dyslexia specialist has completed specified training and received specified certification;

(3) Specifies the qualifications the dyslexia specialist must possess and the responsibilities he or she will have, including assisting the department with developing and administering specified programs for school districts no later than the 2016-17 school year;

(4) Establishes the Legislative Task Force on Dyslexia and requires the Joint Committee on Education to provide technical and administrative support as required by the task force to fulfill its duties;

(5) Requires the task force to meet at least quarterly and to advise and make recommendations to the Governor, General Assembly, and relevant state agencies regarding matters concerning individuals with dyslexia, including education and other adult and adolescent services. The meetings may be held via telephone or video conference;

(6) Requires the task force to consist of 18 members who will serve without compensation. Two must be members of the House of Representatives appointed by the Speaker of the House. The remaining membership is specified in the bill;

(7) Requires the task force to make recommendations for a statewide system for identification, intervention, and delivery of supports for students with dyslexia including the development of resource materials and professional development activities, which must be included in a report to the Governor and legislature and must include findings and proposed legislation. The report must be made available no longer than 12 months from the task force's first meeting; and

(8) Specifies what should be included in the recommendations and resource materials developed by the task force.

The task force authorized under these provisions will expire on August 31, 2017.

STATE BOARD OF EDUCATION INTERVENTION POWERS (Section 162.081)

The bill allows the State Board of Education to lapse the corporate organization of all or part of an unaccredited school district. If the State Board appoints a special administrative board for the operation of a part of an unaccredited school district, the State Board of Education must determine an equitable apportionment of state and federal aid for the part of the district. In addition, the school district must provide local revenue in proportion to the weighted average daily attendance of the part governed by the special administrative board.

The state board may appoint members of the elected board to a special administrative board but members of the elected board must not comprise more than 49% of the special administrative board's composition.

Nothing in this provision of law must be construed to permit either the state board or a special administrative board to raise, in any way not specifically allowed by law, the tax levy of the district or any part of the district without a vote of the people.

The bill provides that when the state board determines another form of governance for an unaccredited district, that other form of governance will be subject to the following provisions of law: it will retain the authority granted to a board of education; it will expire at the end of the third year of its appointment unless reauthorized; it will not be deemed to be the state or a state agency; and it will not be considered a successor entity for purposes of employment contracts, unemployment compensation or any other purpose.

If the state board reasonably believes that a school district is unlikely to provide for the minimum school term required by Section 163.021 because of financial difficulty, the State Board may, prior to the start of the school term, allow continued governance by the existing district school board under terms and conditions established by the state board of education. As an alternative, the state board may lapse the corporate organization of the district and implement one of the options available to the state board to intervene in an unaccredited district. However, this provision will not apply to any district solely on the basis of financial difficulty resulting from paying tuition and providing transportation for transfer students.

VIRTUAL EDUCATION (Sections 162.1250 and 167.121)

Currently, when a resident student completes a virtual course offered by his or her school district, the student's attendance upon course completion is calculated as 49% of the hours of attendance for the class delivered in a non-virtual program. The bill specifies that when a student is a candidate for A+ tuition reimbursements, the school must attribute no less than 95% of attendance to the student's completion of the virtual course.

A parent or guardian may enroll his or her child in a virtual school of his or her choice if the child is enrolled in and has attended, for at least one semester immediately prior to enrolling in the virtual school, an unaccredited school in any district in this state; an attendance center in an unaccredited district; an attendance center in a provisionally accredited district; an attendance center in a district that has most or all of its land area located in Jackson County; an attendance center in a district that has most or all of its land area located in a St. Louis County; or an attendance center in St. Louis City School District.

If the child is eligible to begin kindergarten or first grade at any of these specified schools, the requirement that the child be enrolled in and have attended, for at least one semester immediately prior to enrolling in the virtual school does not apply.

A parent may only enroll a child in a virtual school that meets these requirements. Courses in the virtual school must be aligned with the Show-Me Curriculum Standards and comply with state requirements for teacher certification. The state board must reserve the right to request information and materials sufficient to evaluate any on-line course. These on-line courses must be considered like any other courses offered

by a school district or charter school. The student's district of residence must pay tuition for any student who enrolls in a virtual school under these provisions. The tuition amount must not exceed the state adequacy target. For purposes of these provisions, beginning on July 1, 2016, the state adequacy target amount used will be as calculated as described in these provisions.

If an unaccredited school becomes classified as provisionally accredited or accredited without provisions by the state board or if an unaccredited or provisionally accredited district becomes classified as accredited without provisions, any student who has enrolled in a virtual school described in these provisions may continue his or her educational program in the virtual school through the completion of high school.

Unaccredited schools, unaccredited districts, and provisionally accredited districts must be responsible for notifying students, parents and guardians of the virtual school options described in these provisions. The decision to enroll in virtual school coursework will be solely at the discretion of the student and his or her parent or guardian. School districts and schools must not use the availability of a virtual school to prevent a student from transferring to another school under the school transfer law.

TRANSIENT STUDENTS (Section 162.1305)

The bill defines "transient student" as any student who transfers from one attendance center to any other attendance center two or more times in two school years.

The bill requires the Department of Elementary and Secondary Education to annually calculate a transient student ratio for each attendance center, charter school, and local educational agency based on the transient student ratios of all the attendance centers in the district and must publish these transient student ratios on its website.

The transient student ratio will use data, including the number of students enrolled in the district or school, the number of students who withdraw from the district or school, and the number of students who are enrolled, withdrew, and later reentered the district or school.

Each school district and charter school must report annually to the Department any information and data necessary for the department to calculate transient student ratios.

The bill establishes that the student assessment scores and other performance data for transient students attending in their first year will not be used when calculating the district's or charter school's performance for purposes of the Missouri School Improvement Program or scores on the annual performance report in the first year of attendance. The scores of any student who in his or her second year of attendance will be weighted at 30%. The scores of any student who in his or her third year of attendance will be weighted at 70%. The scores of any student who in his or her fourth year of attendance will be weighted at

100%. A transient student's growth score will be counted at 100% for all years mentioned above.

PARENT NOTIFICATION OF UNACCREDITED STATUS (Section 162.1310)

When the State Board of Education classifies any district or attendance center as unaccredited, the district must notify the parent or guardian of students enrolled in the district of the loss of accreditation within seven business days. The notice must also include an explanation of which students may be able to transfer, the transfer process, and any services students may be entitled to receive. This notice must be posted in a conspicuous and accessible place in each district attendance center and must be sent to each municipality located in the boundaries of the school district.

HOME VISITS (Section 162.1312)

The school board of any district that operates an underperforming school must adopt a policy regarding the availability of home visits by school personnel. The school board's policy may offer to the parent or guardian of a student enrolled in any such school the opportunity to have at least one annual home visit and must offer an opportunity for a meeting at the school or a mutually agreeable site.

STATE ADEQUACY TARGET CALCULATION (Section 163.011)

The bill modifies how the calculation of school district current operating expenses is used to determine the state adequacy target. When the state adequacy target is recalculated, any increase in state funding attributable to an individual district will be capped at 200% of the aggregate percentage increase in state funding for all of the performance districts.

EARLY CHILDHOOD FUNDING (Section 163.018)

The bill specifies that charter schools become eligible to receive state funding for early childhood education at the same time as the district in which they are located becomes eligible. The bill also changes the age range used to determine the 4% cap on early childhood funding from ages 3 to 18 to ages 5 to 18.

STATE ADEQUACY TARGET ADJUSTMENT (Section 13.031)

The bill delays until July 1, 2016, the implementation of the provision that requires the state adequacy target be adjusted to accommodate available appropriations.

USE OF CERTAIN DATA FROM NEGLECTED CHILDREN AND DELINQUENT CHILDREN IN THE AGGREGATE DATA OF A SCHOOL DISTRICT (Section 176.127)

The bill restricts the Department of Elementary and Secondary Education from creating a report or publication related to the Missouri School Improvement Program that includes the data of any children in facilities

serving neglected children or delinquent children in a district's aggregate scores.

STUDENT TRANSFERS (Section 167.131)

Currently, the school board of a school district that does not maintain an accredited school is required to pay the tuition of and provide transportation for resident pupils who attend an accredited school in another district of the same or an adjoining county. This provision currently applies to both unaccredited school districts and K-8 school districts that do not offer high school grades. The bill repeals the provisions applicable to unaccredited school districts so that it only applies to K-8 school districts.

RECEIVING DISTRICT OR CHARTER SCHOOL (Section 167.132)

A receiving district or a receiving approved charter school may negotiate with a sending district to accept a reduced tuition rate for transfer students and the receiving district or receiving approved charter school may limit the number of transfer students accepted at the reduced tuition rate as calculated under these provisions. If the receiving district or receiving approved charter school elects to accept tuition as calculated under these provisions and does not limit the number of transfer students accepted at this reduced rate, the district or approved charter school must receive students through the education authority based solely on the parent request and available seats.

Beginning in the 2015-16 school year and after, if a sending district and a receiving district or receiving approved charter school have agreed upon a reduced tuition rate, the tuition, calculated annually by the appropriate education authority, will be calculated as the product of the sum of the average per-pupil current expenditures of all available receiving districts for the sending district divided by the number of all available receiving districts for the sending district and 70%.

If there is a disagreement as to the amount of tuition to be paid, the facts must be submitted to the State Board of Education and its decision will be final.

For each of the first two full school years that a receiving district or receiving approved charter school charges a rate of tuition as calculated under these provisions, accepts a minimum of 25 transfer students at the reduced rate, and does not limit the number of transfer students accepted at the reduced rate, if the aggregate scores of student growth of all the transfer students in the receiving district or receiving approved charter school meet or exceed targets established in the state accountability system, the receiving district or receiving approved charter school must earn additional credit in academic achievement on its annual performance report. The department must promulgate an administrative rule to implement these provisions.

If a receiving district elects to accept tuition as calculated under these provisions and does not limit the number of transfer students accepted at the reduced rate, the department must consider the action as

an additional criterion when determining whether to assign the receiving district a classification of accredited with distinction.

If a receiving district or receiving approved charter school elects to accept tuition as calculated under these provisions and does not limit the number of transfer students accepted at the reduced rate, 10% of the total amount of tuition in addition to the 70% for the receiving district or receiving approved charter school will be paid from the Supplemental Tuition Fund established and described in these provisions.

TRANSFER PROGRAM (Section 167.825)

For school year 2015-16, students who participated in the transfer program that originated on July 1, 2013, will be allowed to participate under the same terms that governed the transfers in school year 2013-14, except for the tuition amount.

For school year 2015-16, any student who transferred from an unaccredited district to an accredited district in the same or an adjoining county in school year 2013-14 or school year 2014-15 but did not attend a public school in the unaccredited district for the semester prior to the transfer, unless the student was entering kindergarten or first grade when he or she transferred, will no longer be eligible to transfer in school year 2015-16.

If an unaccredited district becomes provisionally accredited or accredited, any resident student who transferred will be permitted to continue his or her educational program through the completion of middle school, junior high school, or high school, whichever occurs first, and as specified in the bill. However, any student must have previously attended a school in the unaccredited district for at least one semester before initially transferring, unless the student was entering kindergarten or was a first grade student. Such a student must maintain residence in the unaccredited district. A student who returns to his or her district of residence will be ineligible to transfer again.

In addition, any student who was participating in the school transfer program before January 1, 2015, and who attended, for at least one semester immediately prior to transferring, a school in an unaccredited district have the option of transferring to a virtual school as provided in Subsection 8 of Section 162.1250, an approved charter school, or another public school in the student's district of residence that offers the student's grade level of enrollment.

STUDENT TRANSFER (Section 167.826)

Any student may transfer to another public school in the student's district of residence that offers the student's grade level of enrollment and that is accredited without provisions by the state board if the student is enrolled in and has attended an unaccredited school in an unaccredited district for the full semester immediately prior to requesting the transfer.

Any student may transfer to another public school in the student's district of residence that offers the student's grade level of enrollment and that is accredited without provisions by the state board if the student is enrolled in and has attended an unaccredited school, for the full semester immediately prior to requesting the transfer, in an urban school district, St. Louis City School District, a district that has most or all of its land area located in St. Louis County, or a district that has most or all of its land area located in Jackson County.

However, student transfers within the district of residence cannot result in a class size and assigned enrollment in a receiving school that exceeds the standard level for class size and assigned enrollment under the Missouri School Improvement Program resource standards. The school board of each district that operates an unaccredited school must determine the capacity at each of the district's accredited schools. The district's school board is responsible for coordinating the transfers within the district. Students enrolled in and attending an attendance center only offering kindergarten through grade two are not eligible to transfer to another school under one of the transfer options.

Any student who has first attempted and is unable to transfer to an accredited school within his or her district of residence due to a lack of capacity at accredited schools in the district of residence may apply to the appropriate education authority to transfer to an accredited school in another district in the same or an adjoining county or an approved charter school in another district located in the same or an adjoining county.

After the state board has assigned classification designations to all attendance centers and after, any student who is eligible to transfer under these provisions and who has first attempted but is unable to transfer to an accredited school within his or her district of residence due to a lack of capacity in accredited schools in the district of residence may apply to the appropriate education authority to transfer to an accredited school in another district located in the same or an adjoining county; or an approved charter school in another district located in the same or an adjoining county.

Applications to the education authority to transfer must be made by March 1 before the school year in which the student intends to transfer.

A student who is eligible to begin kindergarten or first grade at an unaccredited school may apply to the appropriate education authority for a transfer if he or she resides in the attendance area of the unaccredited school on March 1 preceding the school year of first attendance. A student who does not apply by March 1 is required to enroll and attend for one semester to become eligible. Any transfer student who does not maintain residence in the attendance area of the attendance center will lose transfer eligibility. In addition, a student who withdraws from the transfer will also lose transfer eligibility.

No unaccredited district, provisionally accredited district, unaccredited school, or provisionally accredited school will be eligible to receive transfer students, except that, within an unaccredited district, students

may transfer from unaccredited schools to accredited schools, and a transfer student who chooses to attend a provisionally accredited school in the district of residence must be allowed to transfer to the school if there is an available slot.

If a charter school may receive nonresident transfer students because it has been operating for less than three years but then loses its status as an approved charter school immediately after those three years because its three-year average score on its annual performance report is below 70%, any students who previously transferred to the charter school may remain enrolled in the charter school but no additional nonresident students may transfer to the charter school.

Any attendance center with a three-year average score of 70% or lower on its annual performance report will not be eligible to receive any transfer students, regardless of its state board classification designation, except that any student who was granted a transfer to the attendance center prior to the effective date of this bill may remain enrolled in that attendance center.

Districts and charter schools that receive student transfers are not required to do any of the following, unless they choose to do so: exceed the class size and assignment enrollment standards of a district-approved policy on class size; hire additional classroom teachers; or construct additional classrooms.

Each receiving district and approved charter school has the right to establish a policy for desirable class size and student-teacher ratios based on objective means and will not be required to accept any transfer students that would violate its policy. A policy may allow for estimated growth in the resident student population. A charter school may use the class size, student-teacher ratios, and growth projections for student enrollment in its charter and charter application. A district or approved charter school that adopts a policy must do so by January 1. If a transfer student is denied admission based on a lack of space under a policy, the student may appeal to the state board. The state board may limit the policy if it finds the policy is unduly restrictive to student transfers. The decision of the state board is final.

For each student who transfers to another district or approved charter school, the student's district of residence must pay the tuition amount for each transfer student to the receiving district or receiving approved charter school in two increments annually, once at the start of the school year and once at the start of the second semester of the school year. Each receiving district and receiving approved charter school must adopt a policy establishing a tuition rate by February 1 annually.

If an unaccredited school becomes provisionally accredited or accredited, any resident student who transferred under one of the transfer options will be permitted to continue his or her educational program through the completion of middle school, junior high, or high school, as described in these provisions.

For any district that operates an unaccredited school, the education authority for the county in which the district is located must designate at least one accredited district to which the district must provide transportation for transfer students. However, for the 2015-16 school year and until the education authorities are operational, the Department of Elementary and Secondary Education must designate at least one accredited district to which a district operating an unaccredited school must provide transportation for transfer students. For the 2015-16 school year, transportation costs for the Normandy Schools Collaborative will be paid from the newly created Student Transfer Transportation Fund.

Beginning in the 2016-17 school year, when determining transportation arrangements, neither the department nor any education authority can contract with or collaborate with any established regional association or cooperative of school districts located in St. Louis City or St. Louis County.

When costs associated with the provision of special education and related services to a student with a disability exceed the tuition amount, the transfer student's district of residence is responsible for paying the excess costs to the receiving district. When the receiving district is a component district of a special school district, the transfer student's district of residence must contract with the special school district for the entirety of the costs to provide special education and related services, excluding transportation. The special school district may contract with a district operating an unaccredited school for the provision of transportation. A special school district must continue to provide special education and related services, with the exception of transportation, to a student with a disability transferring from a district operating an unaccredited school within the same or a different component district.

When the St. Louis City School District operates an unaccredited school, it is responsible for the provision of special education and related services, including transportation to students with disabilities. A special school district may contract with the St. Louis City School District, as described in the bill.

Regardless of whether transportation is identified as a related service, a receiving district that is not part of a special school district is not responsible for providing transportation. A district operating an unaccredited school may contract with a receiving district that is not part of a special school district for transportation. When districts other than St. Louis City operate unaccredited schools, they may contract with a receiving district that is not part of a special school district for the reimbursement of special education services.

ELIGIBLE DISTRICTS (Section 167.827)

By August 1, 2015, and by January 1 annually, each district eligible to receive transfer students must report to the appropriate regional education authority the number of its available enrollment slots in accredited schools by grade level. Each district operating an unaccredited school must report the number of available enrollment slots

in the district's accredited schools. Each approved charter school eligible to receive transfer students must report the number of available enrollment slots.

Each education authority with a district operating an unaccredited school in its geographic area must make information and assistance available to parents who intend to transfer their child using one of the transfer options. Parents who intend to transfer their child must send initial notification to the appropriate education authority by March 1. The education authority will assign transfer students, as space allows. When assigning students to approved charter schools, the education authority must coordinate with each approved charter school and its admissions process if capacity is insufficient to enroll all students who submit a timely application. An approved charter school will not be required to receive any transfer students that would require it to institute a lottery procedure for determining the admission of resident students. The education authority will give first priority to students who live in the same household with family members within the first or second degree of consanguinity or affinity who have already transferred and apply to transfer to the same accredited school. If insufficient enrollment slots are available for a student to transfer, that student will receive first priority the following school year. The authority is only able to disrupt student and parent choice for transfers if available slots are requested by more students than there are slots available. The authority must consider the following factors in assigning schools: the student's or parent's choice of the receiving school (most important); the best interests of the student; and distance and travel time. The authority must not consider student academic performance; student free and reduced lunch status; or athletics.

When assigning transfer students to approved charter schools, an education authority must coordinate with each approved charter school and its admissions process if capacity is insufficient to enroll all students who submit a timely application.

An education authority may deny a transfer to a student, who in the most recent school year, has been suspended from school two or more times or has been suspended for an act of school violence, as specified in the bill. A student who is denied a transfer for this reason has the right to an in-person meeting with a representative of the authority.

The test scores of transfer students attending schools in other districts will be counted as follows:

(1) In the first year of attendance in a district or approved charter school, a transfer student's score on a statewide assessment will not be included when calculating the status or progress scores on the district's or charter school's annual performance report scores. The growth score will be weighted at 100%;

(2) In the second year of attendance, a transfer student's score on a statewide assessment will be weighted at 30% when calculating the district's or charter school's performance for purposes of the district's

or charter school's annual performance report status or progress score, with the growth score weighted at 100%;

(3) In the third year of attendance, a transfer student's score on a statewide assessment must be weighted at 70% when calculating the district's or charter school's performance for purposes of the district's or charter school's annual performance report status or progress score, with the growth score weighted at 100%; and

(4) In the fourth year of attendance and any subsequent years of attendance, a transfer student's score on a statewide assessment must be weighted at 100% when calculating the district's or charter school's performance for purposes of the district's or charter school's annual performance report status or progress score, with the growth score weighted at 100%.

When performing the requirements of these provisions, if an education authority whose geographic area includes a district that operates an unaccredited school is not coordinating transfers due to insufficient funding or because the Governor has not yet appointed a number of members sufficient to constitute a quorum to the education authority, the department must contract with or collaborate with any organizations it chooses, subject to specified exceptions, in order to coordinate transfers. The department and the organization or organizations it chooses must fulfill all functions of the education authorities, including the duty to perform the tuition calculation. Any applications for transfers and any reports of available enrollment slots that the education authorities would have received must be submitted to the department or the organization or organizations it chooses instead.

Beginning in the 2016-17 school year, when performing the requirements of these provisions, neither the department or any education authority can contract with or collaborate with any established regional association or cooperative of school districts located in St. Louis City or St. Louis County. The regional association or cooperative of school districts will not receive any applications for transfers or perform any functions assigned to the education authorities.

STUDENT PROMOTION (Section 167.642)

Students in fifth grade or eighth grade cannot be promoted to the next grade level if they are two or more years below grade level as measured by quantifiable student performance data designated by the local school district. However, this provision does not apply to any student with an individualized education program (IEP) or any student with a Section 504 Plan.

SCHOOL DISTRICT IMPROVEMENT MEASURES (Sections 167.685 and 167.688)

Any unaccredited district must offer free tutoring and supplemental education services to underperforming and struggling students. Districts may use funds from the newly created School District Improvement Fund to the extent funds are available. An unaccredited district may satisfy the free tutoring services requirement by entering into a contract with a

public library for on-line tutoring services. In addition, an underperforming district may do any of the following: implement a new curriculum, as specified in the bill; retain an outside expert to advise the district or school on regaining accreditation; enter into a contract with an education management organization with a proven record of success to operate a school or schools within the district; enter into a collaborative relationship with an accredited district in which teachers from both districts exchange positions for two school weeks; or implement any other change suggested by the State Board of Education, expert, contractor, or assistance team.

Any underperforming district may offer an attendance recovery program designed exclusively to allow students to recapture attendance hours lost due to absences. Attendance recovery hours may be included in the calculation of a district's attendance rate for purposes of the Missouri school improvement program accreditation scoring.

READING, PERSONALIZED LEARNING PLANS, STUDENT RETENTION (Section 167.730)

The bill requires, beginning July 1, 2016, all public schools in the St. Louis City School District and Kansas City School District, including charter schools, to use a response-to-intervention tiered approach to reading instruction for students determined by their school to be struggling readers. At a minimum, the reading levels of students in kindergarten through tenth grade must be assessed at the beginning and middle of the school year. Students who score below district benchmarks must be provided with intensive, systemic reading instruction.

Beginning on January 1, 2016, and each January thereafter, each public school in the St. Louis City School District and Kansas City School District, including charter schools, must prepare a personalized learning plan for any kindergarten or first grade student whose most recent school-wide reading assessment result shows the student is below grade level. Certain exceptions exist for students with an individualized education plan (IEP) or a Section 504 Plan. For any student with a personalized learning plan, the student's main teacher must consult with the student's parent or guardian about the plan and must have consent to implement it. If a student is still performing below grade level through the end of the first grade year, the school must refer him or her for assessment to determine if an IEP is necessary. If an IEP is not necessary, the personalized learning plan must remain in place until the student is at grade level.

Any student who is not reading at the second grade level in the St. Louis City School District and the Kansas City School District by the end of second grade may be promoted to third grade only if: the school provides additional reading instruction during the summer and demonstrates the student is ready for third grade at the end of summer school; if the school provides a looping classroom in which the student remains with the same teacher for multiple years and the student is not reading at the third grade level by the end of third grade, the student must be retained; or the student's parents or guardians may sign a notice that they prefer to have the student promoted except that the school will have final determination to retain.

The St. Louis City School District, the Kansas City School District, and each charter school located in them must provide in the annual school accountability report card the numbers and percentages by grade of any students at grade level who have been promoted but who have been determined as reading below grade level. School districts and charter schools subject to this requirement may provide for a student promotion and retention program and a reading instruction program that are equivalent to those which are described in this section with the oversight and approval of DESE.

REGIONAL EDUCATION AUTHORITIES (Sections 167.830 - 167.845)

The bill establishes three separate regional education authorities to coordinate student transfers, one for the St. Louis region, a second authority for the Kansas City area, and a third authority for the rest of the state. Each authority will consist of five members who must be residents of their covered area, as specified in the bill, appointed by the Governor with the advice and consent of the Senate, who will serve for a term of six years. The education authority must coordinate and collaborate with local districts and local governments for the student transfers. Parents who want to transfer their child must notify the appropriate regional education authority by March 1. The education authority must assign students to districts using an admissions process, as specified in the bill.

TRANSFER AND TRANSIENT STUDENT DATA (Section 167.890)

The Department of Elementary and Secondary Education must compile and maintain student performance data scores of all transient and transfer students and make the data available on the Missouri Comprehensive Data System. Personally identifiable information must not be accessible on the database.

ON-LINE TUTORING SERVICES THROUGH A PUBLIC LIBRARY (Section 170.215)

A school district may enter into a contract with a public library to provide on-line tutoring services through a third party vendor or a non-profit organization for the district's students. Tutoring services must be conducted through compatible computers to participating students who have a library card, both within and without the public library facility.

On-line tutoring services may include assistance with homework, collaboration and study tools in various school subjects, access to writing assistance productivity software, and test preparation tools.

A contract may allow dedicated access to assistance during specified hours of the day and specified days of the week. A contract may allow students to submit questions to tutors or join on-line study groups.

On-line tutoring services must be designed and implemented to protect student privacy, prohibit voice communication between the parties, and prohibit face-to-face visual communication. In addition, employees of third party vendors or nonprofit organizations with which a public

library has contracted for the tutoring services are prohibited from soliciting personally identifiable information from participating students.

Any entity offering tutoring services must maintain an archive of all communications between students and tutors for two years.

PARENT PORTALS (Section 170.320)

The bill creates the Parent Portal Fund in the state treasury. Moneys in the fund may be used to provide financial assistance to districts to establish and maintain a parent portal so parents may have access to educational information and access to student data via mobile technology.

SCHOOL LEARNING TIME (Section 171.031)

The school board of any unaccredited district, provisionally accredited district, or district with a three year average annual performance report score consistent with a classification of unaccredited or provisionally accredited, may, by a majority vote, increase the length of the school day and also increase the number of instruction hours above the statutory minimum. The bill creates the Extended Learning Time Fund in the state treasury. Moneys in the fund will be used for schools that extend the length of the school day or hours of instruction.

UNOCCUPIED SCHOOL BUILDINGS (Section 177.031)

Each district that owns a building that is not occupied must prepare and send a public notice to each district taxpayer of the status of each district-owned building that is not occupied. The notice must include the address of each building and the annual cost of maintaining it. The district must post this information on its website. A district's building will be deemed occupied if it is used for the education of children between the ages of four and 21 for at least three hours a day for a school term.

BUILDINGS IN UNDERPERFORMING DISTRICTS (Section 1)

The bill requires the St. Louis City School District, the Kansas City School District, and districts in St. Louis County at any time they are underperforming, to obtain an outside appraisal for any buildings they own that are vacant and unused for classroom instruction. A district is deemed underperforming when it is unaccredited, provisionally accredited, or has a three-year average annual performance report score that is consistent with a classification of unaccredited or provisionally accredited.

Each of these districts must allow multiple opportunities for prospective purchasers to tour the buildings. A district may reserve 30% of its vacant and unused buildings as franchise buildings. Buildings must be publicly listed for sale between September 1, 2015, and October 1, 2015. Any buildings that are not sold during this time will be sold at auction, as specified in the bill. If the buildings are not sold, a district may

receive moneys from the Reclamation and Demolition to fund to demolish them. These provisions are severable from the rest of the bill.

CHILDREN'S SERVICES FUND (Section 210.861)

In St. Louis County, if there is an unaccredited or provisionally accredited school district, up to 5% of each fiscal year's revenues in the Children's Services Fund must be devoted to a grant program to deliver services to schools in those districts. The Children's Community Services Fund board of directors must undertake a needs assessment for any such school district within 90 days. The needs assessment must be used as a basis for contracting of services. The board of directors must appoint one of its members to a direct school service coordinating committee and an additional member may be appointed as an ex officio member. The committee must provide recommendations and oversight to the program of contracted services. The use of funds is subject to an audit. This provision will terminate after Fiscal Year 2017.

SEVERABILITY (Section 2)

The bill contains language specifying that all provisions of the bill are severable.

The bill contains an emergency clause.

SCS HCS HB 50 -- BUSINESS OF INSURANCE

This bill changes the laws regarding the business of insurance.

INSURANCE HOLDING COMPANIES (Sections 382.101 - 382.300, RSMo)

The bill:

(1) Expands the authority of the Director of the Department of Insurance, Financial Institutions and Professional Registration to assess the financial stability and risk of insurance holding companies. The department director may seek information relevant to the determination of "enterprise risk" which is defined in terms of systematic financial risks that threaten to deplete capital under Section 375.1225, RSMo, or create a hazardous financial condition under Section 375.539. The department director may order the production of information and issue subpoenas in order to obtain relevant information that may legally be obtained by insurance holding companies. Whenever it appears to the department director that any person has committed a violation of the provisions of the bill and the violation prevents the full understanding of the enterprise risk to the insurer by affiliates or by the insurance holding company system, the violation may serve as an independent basis for disapproving dividends or distributions and for placing the insurer under an order of suspension. The department director may also require additional registration information such as financial interest statements from affiliates and board of governance member statements as specified in the bill. Upon request of the department director, an ultimate controlling individual in each insurance holding company must file an

annual enterprise risk report with the department director. The department director must approve or disapprove a request for exemption from registration and reporting requirements on the basis of non-affiliation within 30 days;

(2) Requires any controlling person of a domestic insurer seeking to divest its controlling interest in the domestic insurer to file a confidential notice with the department director, with a copy to the insurer, of its proposed divestiture at least 30 days prior to the cessation of control. The department director must determine those instances in which the party or parties seeking to divest or to acquire a controlling interest must be required to file for and obtain approval of the transaction. The acquiring person must also file a preacquisition notification with the department director containing specified information;

(3) Requires a person acquiring a controlling interest to sign a statement that includes an agreement to file an annual report with the department director for so long as control exists and an acknowledgment that he or she and all subsidiaries within its control in the insurance holding company will provide information to the department director upon request as necessary to evaluate enterprise risk to the insurer;

(4) Allows a consolidated public hearing upon request of the person filing the required statement if the proposed acquisition of control requires the approval of more than one state insurance commissioner. In connection with a change of control of a domestic insurer, and determination by the department director that the person acquiring control must be required to maintain or restore the capital of the insurer to the required state level must be made within 60 days after the date of notification of the change in control. Companies acquired by Missouri insurers may be subject to Missouri law and will no longer be exempt;

(5) Requires a disclaimer of affiliation with any authorized insurer to be deemed to have been granted unless the department director notifies, within 30 days following receipt of a complete disclaimer, the filing party that the disclaimer is disallowed. If it is disallowed, the disclaiming party may request an administrative hearing which must be granted;

(6) Requires the ultimate controlling person of every insurer subject to registration to file an annual enterprise risk report upon request of the department director. The report must be filed with the lead state insurance commissioner of the insurance holding company system as determined by specified procedures adopted by the National Association of Insurance Commissioners. The first report must be due and filed no later than May 1, 2016, and annually thereafter by May 1 unless extended by the lead commissioner for good cause shown;

(7) Requires the accounting documentation of a registered insurer to include information as is necessary to support the reasonableness of fees, charges, and other transactions conducted with its affiliated

insurers. Other criteria for department director supervision of affiliated insurer practices are specified in the bill;

(8) Requires the department director to have the power to participate in a supervisory college for any domestic insurer that is part of an insurance holding company system with international operations to determine compliance by the insurer with these provisions. Each registered insurer subject to these provisions must be liable for and must pay the reasonable expenses of the department director's participation in a supervisory college;

(9) Specifies the requirements for the reporting and disclosure of information between the department director and the National Association of Insurance Commissioners or other regulatory bodies and prohibits all information, documents, and copies obtained by or disclosed to the department director from being subject to the Open Meetings and Records Law, commonly known as the Sunshine Law, and from being subject to discovery or admissible as evidence in any private civil action;

(10) Specifies that the provisions of Sections 382.100 to 382.180 must not apply to any insurer, information, or transaction if and to the extent that the department director by rule, regulation, or order must exempt the same from these provisions; and

(11) Exempts any insurance holding company or its affiliates from several provisions relating to enterprise risk reporting if the insurance company affiliates of the insurance holding company had total premiums of less than \$150 million dollars in the preceding year and the insurance holding company certifies in writing to the department director that more than 25% of the employees of its non-insurance affiliates are engaged in agricultural operations.

OWN RISK AND SOLVENCY ASSESSMENTS (Sections 382.500 to 382.550)

The bill enacts the provisions of the model legislation of the own risk and solvency assessments (ORSA) legislation developed by the National Association of Insurance Commissioners (NAIC). The purpose of the model legislation is to allow large- and medium-sized insurers to develop their own model of current and future financial risk and allow regulators to determine how insurers will react to financial stress.

An insurer must file a report on its solvency risk with the Director of the Department of Insurance, Financial Institutions and Professional Registration upon the director's request and not more than once each year. Insurers who are required to file the report are specified in the bill, and the criteria for the report are specified in the bill. Specified insurers must be exempt from the requirements. Procedures for sharing information with the NAIC and for maintaining records are also specified. All documents, materials, or other information, including the ORSA summary report, disclosed to the department director under these provisions are recognized by this state as being proprietary and to contain trade secrets and must be confidential by law and privileged and not subject to disclosure under Chapter 610, RSMo, the Open Meetings and Records Law, commonly known as the Sunshine Law; be subject to subpoena;

or be subject to discovery or admissible in evidence in any private civil action. The department director must not make the documents, materials, or other information public without the prior written consent of the insurer. Any insurer failing without just cause to timely file a required ORSA summary report commits a level two violation with respect to each day's delay.

The provisions of Sections 382.500 to 382.550 the bill will become effective on January 1, 2016.

SS SCS HCS#2 HB 63 -- PERSONS SEEKING PUBLIC OFFICE

(Vetoed by the Governor--Overridden by the General Assembly)

This bill exempts a candidate for a special district office; a township office in township organization counties; or a city, town, or village office from the provisions of Sections 115.307 to 115.405, RSMo, regarding political parties and the nomination of candidates.

The bill prohibits any person from being a candidate for a school district board if he or she has previously been employed as the superintendent for that school district.

Elections for any school district that becomes an urban school district because of the 2000 federal census must be held annually at the same times and places as general municipal elections for all years where one or more terms expire and the term must be for three years.

The bill repeals obsolete provisions regarding the election of school board members in St. Joseph School District based on the 1960 census and requires the district to hold elections annually at the same times and places as general municipal elections for all years where one or more terms expire. Currently, school board members in the St. Joseph School District serve a six-year term. The bill changes the term to three years upon the expiration of any term after August 28, 2015.

In the St. Joseph School District, a candidate for the school board must file a declaration of candidacy with the secretary of the school board and must not be required to submit a petition.

The bill contains an emergency clause.

HB 88 -- ORGAN DONOR RECOGNITION DAY

This bill designates July 3 of each year as "Organ Donor Recognition Day" and recommends people of the state to observe the day by participating in activities that will increase awareness of organ donation.

SS HB 92 -- DEPARTMENT OF NATURAL RESOURCES

This bill changes the laws regarding the Department of Natural Resources.

OIL AND GAS PRODUCTION (Sections 259.010 - 259.210, RSMo)

Currently, the State Oil and Gas Council is composed of eight members with one being from the Division of Geology and Land Survey. The bill replaces this member with the State Geologist and removes the requirement that one of the public members on the council be a resident of a third or fourth class county. The bill removes the Division of Geology and Land Survey from the advisory committee to the council and replaces it with the Department of Natural Resources and transfers certain authority from the State Oil and Gas Council to the Department of Natural Resources.

The bill changes the laws regarding oil and gas production to reflect the change from the division to the department and to reflect the transfer of the Land Survey Program to the Department of Agriculture. The definition of "oil" is modified to include hydrocarbons that do not flow to a wellhead but are produced by other means.

The bill creates the Oil and Gas Resources Fund consisting of all gifts, donations, transfers, moneys appropriated by the General Assembly, permit application fees, operating fees, closure fees, late fees, severance fees, and bequests to be used to administer provisions of law relating to oil and gas.

The bill repeals the provision allowing moneys in the Oil and Gas Remedial Fund to be used to pay the expenses incurred by the council.

Currently, the council does not charge a fee for obtaining a permit for drilling operations. The bill allows the council to authorize the Department of Natural Resources to file an order of rulemaking amending the fee structure for permit application fees, operating fees, closure fees, late fees, and extraction or severance fees as specified in these provisions. The authority to revise the fee structure in this manner will expire on August 28, 2025. If any applicant fails to pay the appropriate fee, a penalty may be assessed and relief may be sought by the department in the appropriate circuit court.

A permit must be obtained from the State Geologist prior to commencing injection activities for enhanced recovery of oil or gas or for the disposal of fluid. Currently, applicants seeking a permit for noncommercial gas wells are required to file a bond or other instrument of credit. The bill repeals the allowance to file any other instrument of credit.

Currently, orders regarding spacing units are entered by the State Geologist. The bill requires the department to enter the order and repeals the provisions exempting noncommercial gas wells from the spacing units set by the council.

Currently, the council is required to bring suit against any person appearing to violate the provisions relating to oil and gas. The bill allows the department or the council to request the Attorney General to bring the suit.

SOLID WASTE (Sections 259.380, 260.200, 260.325, and 260.335)

The bill changes the laws regarding solid waste. The bill:

(1) Changes the provisions regarding the audit of solid waste management districts by the State Auditor. Currently, the State Auditor must conduct an audit of each solid waste management district and must thereafter conduct audits of each district as he or she deems necessary and may request reimbursement from the district for the costs of conducting the audit. The bill allows the State Auditor to conduct audits of solid waste management districts as he or she deems necessary and if the State Auditor does request the reimbursement, the district must reimburse the State Auditor for the costs with the moneys deposited into the Petition Audit Revolving Trust Fund. The reimbursement must be limited to 2% of the district's annual allocation;

(2) Revises the independent financial audit requirements. A district receiving more than \$800,000 of financial assistance annually must have an annual independent financial statement audit, while districts receiving between \$250,000 and \$800,000 are required to have an independent financial statement audit every two years. All other districts must be monitored every two years by the department and may be required to arrange for an independent financial statement audit for the monitoring period under review. Currently, a district receiving \$200,000 or more of financial assistance annually is required to have an annual independent financial audit while districts receiving less than \$200,000 are required to have the audit at least every two years;

(3) Requires the department to conduct a performance audit of grants to each district at least once every five years or as deemed necessary based upon district grantee performance. Currently, the department must conduct a performance audit of grants to each district at least once every three years;

(4) Adds textiles to the products solid waste management districts are required to address the recycling, reuse and handling of in its solid waste management plan;

(5) Prohibits the executive board of a solid waste management district from performing solid waste management projects that compete with a qualified private enterprise;

(6) Specifies that a person or entity cannot be disqualified from receiving a grant for providing solid waste management and recycling services on the basis that there exists a familial relationship between the applicant and any member of the solid waste management district executive board within the fourth degree by consanguinity or affinity. For applicants with a familial relationship, the board must only approve the grant application if approved by a vote of two-thirds of the board.

The executive board member must abstain from a vote to award a grant application to any person or entity who is a relative within the specified degree or the member must forfeit membership on the solid waste management district executive board and the solid waste management district council;

(7) Requires the department to prepare model solid waste management plans;

(8) Requires the model waste management plans to provide for economical recycling and waste management through regional and district cooperation. Currently, it requires the plan to provide for economical waste management through regional cooperation;

(9) Repeals the provisions requiring any county within a region that is not a member of a district to submit a solid waste management plan to the department;

(10) Extends the moratorium on increasing the demolition landfill tipping fee and the transfer station tipping fee from October 1, 2017, to October 1, 2027;

(11) Establishes the criteria that a solid waste management district may consider in establishing the order of district grant priority. Any allocated district moneys remaining in any fiscal year due to inadequate grant applications must be reallocated for grant applications in subsequent years or for solid waste projects other than district operations. Any allocated district moneys remaining after five years must revert to the Solid Waste Management Fund;

(12) Establishes a time line for the department to approve or deny a grant application;

(13) Revises the membership and duties of the Solid Waste Advisory Board; and

(14) Requires the board hold regular meetings on a quarterly basis. A special meeting of the board may occur under certain conditions.

WATERS OF THE STATE (Sections 260.500 and 644.016)

The bill changes the definition of "waters of the state" by removing waters of the United States lying within the state from the definition.

SULFUR DIOXIDE AIR QUALITY (Section 643.650)

The bill requires any owner of a coal-fired electric generating source in a one-hour sulfur dioxide National Ambient Air Quality Standards nonattainment area currently designated as of April 1, 2015, to develop an ambient air quality monitoring or modeling network to characterize the sulfur dioxide air quality surrounding the source. The network must adequately monitor the sulfur dioxide surrounding the source and must operate for at least 12 consecutive quarters. The owner of the source must notify the Department of Natural Resources of the manner that will

be used to characterize the air quality around the source. The location of any monitoring network installed by the owner within a nonattainment area must be approved by the department.

Affected sources in an undesignated area that elects to use monitoring to evaluate air quality must be consulted by the department on the use of existing monitors as well as the location of new monitors in the network. The department must not submit a recommendation to the federal Environmental Protection Agency (EPA) on the manner in which data will be gathered for the designation process that is inconsistent with the elections made by the sources. If sources have elected to monitor, the department must submit recommendations for the designation process by the date set by a final, effective, and applicable EPA requirement but not prior.

The bill also requires the department to consider all ambient air quality monitoring network data collected by any owner of an electric generating source prior to proposing to the Air Conservation Commission any sulfur dioxide limitation, emission reduction requirement, or other requirement except in specified circumstances. Nothing in the provisions of the bill can prohibit the department from entering into an agreement with an owner of an electric generating source to limit or reduce sulfur dioxide emissions that is below the source's permitted rate.

MISSOURI CLEAN WATER LAW POLICY STATEMENT (Section 644.011)

The bill modifies the policy statement of the Missouri Clean Water Law by stating that it is the policy of this state to strive to meet the objectives of the Missouri Clean Water Law while maintaining maximum employment and full industrial development of this state. The Clean Water Commission must seek the accomplishment of the objectives of the law by all practical and economically feasible methods.

DEPARTMENT OF NATURAL RESOURCES PERMIT DECISION APPEAL PROCEDURES (Sections 260.235, 260.395, 444.600, 444.773, 444.980, 621.250, 640.115, 643.075, 643.078, 644.051, and 644.056)

Currently, when certain permits or licenses are issued, renewed, denied, suspended, or revoked by the Department of Natural Resources, the decision is appealed to the commission with appropriate jurisdiction, including the Hazardous Waste Management Commission, the Safe Drinking Water Commission, the Air Conservation Commission, the Clean Water Commission, and the Missouri Mining Commission. The bill changes the appeals procedure to require the applicant, or for some permits any aggrieved party, to appeal the decision by filing a petition with the Administrative Hearing Commission within 30 days. The Administrative Hearing Commission may consider certain factors regarding permit decisions for mining as specified in the bill. The Administrative Hearing Commission would then issue a recommended decision to the commission with appropriate jurisdiction. The commission with appropriate jurisdiction must then issue the final decision, and the decision must be subject to judicial review except the Administrative Hearing Commission must issue the final decision for all permits relating to solid waste.

Currently, the department director is required to order an abatement, file an abatement complaint with the Clean Water Commission, or file a complaint to revoke a permit when a violation of the Missouri Clean Water Law has failed to be corrected. The bill changes the revocation process so that the director may not revoke a permit but may request legal action by the Attorney General.

MISSOURI CLEAN WATER LAW (Section 644.145)

Currently, the Department of Natural Resources is required to perform a finding of affordability when issuing permits under the Missouri Clean Water Law for discharges from specified publicly owned treatment works. The bill requires that the finding also be performed when issuing permits for discharges from water or sewer treatment works.

The bill modifies the definition of "finding of affordability" as it applies to the Missouri Clean Water Law to mean a statement by the department as to whether an individual or a household receiving an income in an amount equal to or lower than the median household income for the applicant community would be required to make unreasonable sacrifices in the individual's or the household's essential lifestyle or spending patterns or undergo hardships in order to make the projected monthly payments for sewer services.

HB 111 -- SALES TAX EXEMPTION FOR USED MANUFACTURED HOMES

This bill authorizes a state and local sales and use tax exemption on the sale of a used manufactured home.

SCS HCS HBs 116 & 569 -- LABOR ORGANIZATIONS

This bill specifies that a person as a condition or continuation of employment cannot be required to:

- (1) Become or refrain from becoming a member of a labor organization as defined in the bill;
- (2) Pay dues, fees, assessments, or other charges to a labor organization; or
- (3) Pay to any charity or third party any equivalent amount in lieu of dues, fees, assessments, or other charges required by a labor organization.

Any agreement, understanding, or practice between a labor organization and an employer that violates the rights of employees as specified in the bill will be unlawful, null and void, and of no legal effect.

Anyone violating a provision of the bill will be guilty of a class C misdemeanor, and any person injured as a result of a violation or threatened violation of the provisions of the bill may recover all resulting damages, including costs and reasonable attorney fees, and will be entitled to injunctive relief against any violator or person threatening a violation.

Certain specified employers, employees, and agreements are exempt from the provisions of the bill.

HB 125 -- INDUSTRIAL DEVELOPMENT CORPORATIONS

This bill specifies that the director of any industrial development corporation formed by a municipality in St. Francois County may be a taxpayer and registered voter in the county.

SS HCS HB 137 -- COMPETITIVE BIDDING FOR FEE OFFICES

This bill prohibits the Commissioner of the Office of Administration from awarding points on a request for proposal for a contract license office to a bidder for a return-to-the-state provision offer. The Director of the Department of Revenue must follow the bidding procedures provided by law and establish the rules necessary to implement the procedures.

Specified 501(c)(4) federally tax exempt organizations may be given priority in the competitive bidding process with special consideration granted to organizations that reinvest at least 75% of net proceeds in Missouri charitable organizations.

The St. Louis Convention Center is granted an exemption from open records law in Chapter 610, RSMo, commonly known as the Sunshine Law, for financial documents, leases, and specified contracts involving convention centers owned by the municipality in order to prevent unfair competition in bidding for projects. The Open Meetings and Records Law, commonly known as the Sunshine Law, will continue to apply to professional sport franchise agreements and specified leases.

The bill contains an emergency clause.

HB 150 -- UNEMPLOYMENT COMPENSATION (Fitzpatrick)

(Vetoed by the Governor)

Currently, the maximum total amount of benefits any insured worker may receive during any benefit year must not exceed 20 times his or her weekly benefit amount or 33 1/3% of his or her wage credits, whichever is lesser. This bill repeals that provision and limits, beginning January 1, 2016, benefits during any benefit year to the following:

- (1) 20 weeks if the Missouri average unemployment rate is 9% or higher;
- (2) 19 weeks if the Missouri average unemployment rate is between 8 1/2% and 9%;
- (3) 18 weeks if the Missouri average unemployment rate is 8% up to and including 8 1/2%;
- (4) 17 weeks if the Missouri average unemployment rate is between 7 1/2% and 8%;
- (5) 16 weeks if the Missouri average unemployment rate is 7% up to and including 7 1/2%;
- (6) 15 weeks if the Missouri average unemployment rate is between 6 1/2% and 7%;
- (7) 14 weeks if the Missouri average unemployment rate is 6% up to and including 6 1/2%; and
- (8) 13 weeks if the Missouri average unemployment rate is below 6%.

"Missouri average unemployment rate" means the average of the seasonally adjusted statewide unemployment rate as published by the United States Department of Labor for the time period of January 1 through March 31 and July 1 through September 30.

The bill revises the definition of "wages" as it applies to employment security laws to include termination pay and severance pay. The total amount of wages derived from severance pay, if paid in a lump sum, must be pro-rated on a weekly basis at the rate of pay received by the insured at the time of termination for the purposes of determining unemployment benefits eligibility.

The bill specifies that an employer who reasonably believes that he or she has been assigned an erroneous experience rating as a result of the purchase of a company must have the right to file a timely appeal for recovery of overpayments for the last five years due to the erroneous assignment.

Currently, when the average balance of the Unemployment Compensation Trust Fund is between \$600 million and \$750 million, an employer's contribution rate must be reduced by 7% for the following year. The bill changes the amount to between \$720 million and \$870 million. Currently, when the average balance in the fund exceeds \$750 million, an employer's contribution rate is reduced by 12% for the following year unless the employer's calculated contribution rate is 6% or greater, in which case the reduction may be no more than 10%. The bill changes the amount to \$870 million.

In the event that the amount of moneys owed by the fund for total advancements by the federal government exceeds \$300 million, the Board of Unemployment Fund Financing must be required to meet to consider

authorizing the issuance, sale, and delivery of credit instruments for the entire amount of the debt owed.

Currently, interest is charged to employers when the state has an outstanding balance for federal advancements. The bill requires employers to continue to pay the interest assessment to fully finance the credit instruments when credit instruments are issued to pay off the balance of the federal advancement.

HB 179 -- VETERAN DESIGNATION ON DRIVER'S LICENSES

Currently, a military veteran may receive a veteran designation on his or her driver's license or identification card only upon presentation of a United States Department of Defense discharge document, otherwise known as a DD Form 214, that shows a discharge status of "honorable" or "general under honorable conditions" that establishes the person's service in the Armed Forces of the United States. This bill allows a person to present a DD Form 214 or a United States Uniformed Services Identification Card, otherwise known as a DD Form 2, that includes a discharge status of "retired" or "reserve retired" to also establish the person's service in the Armed Forces of the United States.

HCS HB 259 -- MISSOURI DAIRY REVITALIZATION ACT

This bill establishes the Missouri Dairy Revitalization Act of 2015. In its main provisions, the bill:

- (1) Creates the Missouri Dairy Industry Revitalization Fund;
- (2) Requires the University of Missouri to conduct or contract with an independent research company to conduct research to determine the estimated sales tax revenue generated in the state from the sales of dairy products and must provide the estimate to the Department of Agriculture by October 1 of each year;
- (3) Specifies that no more than 40% of the estimated sales tax revenue generated from the sales of dairy products may be appropriated from the General Revenue Fund to the Missouri Dairy Industry Revitalization Fund and the funds must be spent in the following order of priority:
 - (a) First, to the Dairy Producer Margin Insurance Premium Assistance Program;
 - (b) Second, to the Missouri Dairy Scholars Program; and
 - (c) Third, to the Commercial Agriculture Program;
- (4) Requires the department to create and administer, through the Missouri Agriculture and Small Business Development Authority (MASBDA), a dairy producer margin insurance premium assistance program for the purpose of assisting dairy producers who participate in the federal margin protection program in the federal Agricultural Act of 2014;

(5) Specifies that all dairy producers who participate in the federal margin protection program must be eligible to apply and participate in the dairy producer margin insurance premium assistance program. A dairy producer must apply with MASBDA by January 1 of each year;

(6) Specifies that participating dairy producers who have paid their annual federal premium payment and provide proof of the payment to MASBDA must receive reimbursement of 70% of their federal premium payment up to a maximum premium reimbursement rate of \$.34 per hundredweight of milk;

(7) Requires the University of Missouri and MASBDA to provide risk management training for Missouri dairy producers annually;

(8) Establishes the Missouri Dairy Scholars Program, administered by the department, for eligible students in agriculture-related degree programs who make a commitment to work in Missouri's agriculture industry;

(9) Requires each year, subject to appropriations, the department to make available to eligible students up to 80 scholarships in the amount of \$5,000 each to assist with the costs of tuition and fees at a Missouri two-year or four-year college or university;

(10) Establishes eligibility requirements for students, including requirements to sign a contract with the department in which the recipient agrees to work in the agriculture industry in Missouri for at least two years for every year the recipient receives the scholarship and to work on a dairy farm or in a dairy-related internship for at least three months of each year the recipient receives the scholarship; and

(11) Requires the University of Missouri's Commercial Agriculture Program to conduct an annual study of the dairy industry, develop a dairy-specific plan for how to grow and enhance the dairy and dairy processing industries in Missouri, and report the results of the study to the department and all agriculture-related legislative committee chairpersons by January 1 of each year.

HB 269 -- FIRE EXTINGUISHERS ON MOTORBOATS

This bill requires every class 2 recreational motorboat operating upon the waters of this state to carry two B1 type fire extinguishers, one B2 fire extinguisher, or a fixed fire extinguishing system and one B1 type fire extinguisher. Currently, it is required to carry one B2 or two B1 type fire extinguishers.

HB 326 -- DEFINED BENEFIT PENSION PLANS

This bill clarifies that the board member educational requirements of public employee retirement plans only apply to defined benefit pension plans.

SCS HB 343 -- MONEY FOLLOWS THE PERSON PROGRAM

By September 1, 2015, this bill requires the Department of Social Services, in cooperation with the Department of Health and Senior Services and the Department of Mental Health, to establish a committee to assess the continuation of the Money Follows the Person Demonstration Program in order to support Missourians who have disabilities and those who are aging to transition from nursing facilities or habilitation centers to quality community settings. The committee will study sustainability of the program beyond the current demonstration time frame for all transitions to occur by September 30, 2018. The Director of the Department of Social Services must administer the committee and choose the committee members, excluding members from the House of Representative and Senate. The committee must include fiscal staff from the Department of Social Services, the Department of Health and Senior Services, the Department of Mental Health, and the Division of Budget and Planning within the Office of Administration.

The committee must:

- (1) Review the extent to which the demonstration program has achieved its purposes;
- (2) Assess any possible improvements to the program;
- (3) Investigate program elements and costs to sustain the program beyond its current demonstration period;
- (4) Explore cost savings achieved through the demonstration program; and
- (5) Investigate the possibility and need to apply for a waiver from the Centers for Medicare and Medicaid Services.

Committee members must also include a representative from each of the following:

- (1) The Division of Senior and Disability Services within the Department of Health and Senior Services;
- (2) The MO HealthNet Division within the Department of Social Services;
- (3) The Division of Developmental Disabilities within the Department of Mental Health;
- (4) Centers for independent living and area agencies on aging currently serving as Money Follows the Person local contact agencies;
- (5) The Missouri Assistive Technology Council;
- (6) The Missouri Developmental Disabilities Council;

(7) The skilled nursing community predominately serving MO HealthNet participants;

(8) The House of Representatives, appointed by the Speaker of the House; and

(9) The Senate, appointed by the President Pro Tem of the Senate.

The committee may also include other members or workgroups deemed necessary to accomplish its purposes including, but not limited to, representatives from state agencies, local advisory groups and community members, and members of the General Assembly with valuable input regarding the activities of the program.

By July 1, 2016, the Department of Social Services, in cooperation with the Department of Health and Senior Services and the Department of Mental Health, must make recommendations based on the findings of the committee and report them to the General Assembly and the Governor.

The provisions of the bill will expire on January 1, 2017.

HB 361 -- ENGINEER AWARENESS WEEK

This bill designates the third week of February as "Engineer Awareness Week" in Missouri. Citizens are encouraged to observe the week with appropriate activities and events to promote the engineering discipline to students, expand public recognition of the engineering profession, and celebrate engineering accomplishments.

SS HB 384 -- TAXATION

This bill changes the laws regarding taxation.

TAX AMNESTY (Section 32.383, RSMo)

The bill authorizes an amnesty from the assessment or payment of all penalties, additions to tax, and interest on delinquencies of unpaid taxes administered by the Department of Revenue which occurred on or prior to December 31, 2014. The amnesty must not extend to any taxpayer who at the time of payment is a party to any civil or criminal litigation that is pending for nonpayment, delinquency, or fraud regarding any tax imposed by this state. A taxpayer must apply for amnesty; pay the unpaid taxes in full from September 1, 2015, to November 30, 2015; and agree to comply with state tax laws for the next eight years from the date of the agreement. If a taxpayer is granted amnesty, he or she will not be eligible to participate in any future amnesty for the same type of tax. All tax payments received from the tax amnesty program must be deposited into the newly created Tax Amnesty Fund for specified expenses and any excess fund must be deposited into the General Revenue Fund unless otherwise earmarked by the Missouri Constitution;

The bill creates the Tax Amnesty Fund which consists of moneys received from the tax amnesty program. The funds will be used for reimbursement to health care providers and to expand dental coverage under Missouri Health Net as specified in the bill.

The Department of Revenue may enter into collection agreements with certain third party vendors to provide collection services for eligible delinquent tax liabilities to be collected by the department and to assist with the administration of the amnesty program.

These provisions will expire December 31, 2023.

RECIPROCAL COLLECTION AND OFFSET OF INDEBTEDNESS AGREEMENT (Section 32.385)

The bill allows the Director of the Department of Revenue and the Commissioner of the Office of Administration to enter into a reciprocal collection and offset of indebtedness agreement with the federal government to offset vendor, contractor, and taxpayer payments for any type of debt owed to the state. Currently, the department has a reciprocal agreement with the United States Treasury to offset income tax over-payments. The department director and the commissioner are also authorized to enter into a reciprocal agreement with any other state to offset from state tax refunds and from payments due to vendors and contractors providing goods or services to state departments or agencies non-tax debt due if the other state extends a similar authority to this state. The requirements of the agreements are specified in the provisions of the bill.

TAXPAYER ADVOCATE (Sections 37.650; 136.380 and 136.375)

The bill repeals the provisions regarding the Office of Taxpayers' Ombudsman and creates the Office of Taxpayer Advocate which will be appointed by the Governor with the advice and consent of the Senate. The taxpayer advocate will serve a six year term. He or she will act independently of the department with the office being staffed with Department of Revenue personnel. The advocate may have access to department records and communicate with the department or taxpayer regarding any individual taxpayer disputes and attempts to resolve the disputes. The advocate must report to the General Assembly and the Governor regarding cases handled and recommendations concerning tax laws on an annual basis. The bill provides for taxpayers to have the right to fair and consistent application of Missouri tax laws by the Department of Revenue.

STUDY COMMISSION ON STATE TAX POLICY (Section 136.375)

The bill establishes the Study Commission on State Tax Policy composed of tax experts and members of the Joint Committee on Tax Policy. The commission must establish a minimum of five public hearing dates in different geographic regions of the state. The commission must study the tax structure, identify the strengths and weaknesses, investigate ways to improve the policy, and provide recommendations on the tax policy to the General Assembly. The final report of the commissions findings and recommendations and proposed legislation is due December 31, 2017. The

commission terminates on January 1, 2018, and these provisions will expire August 28, 2018.

HCS HB 385 -- REAL ESTATE TRANSACTIONS

This bill changes the laws regarding communications with brokers relating to real estate transactions. "Correspondence" is defined as any written or electronic communication but must exclude any text messages, instant message, and any other information or communication that is not designed to be retained or create a permanent record for use in any transaction calculated or intended to result in the sale, exchange, leasing, or rental of real estate. The bill specifies that the term "sold" for purposes of Sections 339.010 to 339.180 and 339.710 to 339.860, RSMo, must mean that the title to the real estate has been transferred or that the real estate has become subject to a bona fide sale contract or purchase agreement

HB 391 -- AUTOMOBILE INSURANCE NOTICE

This bill requires any insurer canceling, refusing to renew, or refusing to write a policy of automobile insurance to send written notice by United States Postal Service certificate of mailing, first class mail using Intelligent Mail barcode (IMb), or another mail tracking method used, approved, or accepted by the United States Postal Service.

HB 400 -- EPILEPSY AWARENESS MONTH

This bill designates the month of November each year as "Epilepsy Awareness Month" and encourages citizens to participate in activities and events to increase awareness of epilepsy and its related symptoms.

HB 402 -- MISSOURI SAFE BOATING WEEK

This bill designates the first full week of May before Memorial Day as "Missouri Safe Boating Week" and encourages citizens to observe the week with appropriate activities and events.

SCS HB 403 -- VETERANS AWARDED THE PURPLE HEART

This bill designates Missouri as a "Purple Heart State" to honor our combat wounded veterans for their service. The bill also removes any additional fees charged for subsequent sets of purple heart license plates.

HB 404 -- MISSOURI'S PEACE OFFICERS MEMORIAL WEEK

Currently, May 15 of each year is designated as "Missouri's Peace Officers Memorial Day." This bill designates the week in which May 15 falls as "Missouri's Peace Officers Memorial Week."

HB 501 -- HUMAN SEXUALITY COURSE MATERIALS

This bill requires any course materials and instruction relating to human sexuality and sexually transmitted diseases in a public or charter school to teach students about the dangers of sexual predators, including on-line predators. Pupils must be taught how to behave responsibly and remain safe on the Internet and the importance of having open communication with responsible adults and reporting any inappropriate situation, activity, or abuse. Any course materials and instruction must also teach pupils about the consequences, both personal and legal, of inappropriate text messaging, even among friends.

HB 511 -- ANNEXATION

This bill exempts certain annexations approved by a majority of the property owners and by ordinance of any municipality that provides water and sanitary sewer service within the municipality from boundary commission review in St. Louis County. The annexation must not be prohibited by the existence of an established unincorporated area.

HB 514 -- TAX INCREMENT FINANCING

This bill authorizes tax increment financing, not to exceed \$4 million per year, for the redevelopment of former automobile manufacturing plants or a former insurance company national service center located in St. Louis County. The former automobile manufacturing plant must be a redevelopment area containing a minimum of 100 acres that was previously used primarily for the manufacture of automobiles but ceased operations after the 2007 calendar year.

The bill adds an additional \$12 million to the tax increment financing cap to be used solely for the purpose of tax increment financing projects for the retention of a federal employer employing over 2,000 geospatial-intelligence jobs. The bill authorizes the state and St. Louis City to enter into a financing agreement relating to the redevelopment of an area contiguous with a former public housing site that has been declared blighted that may lead to the retention of a federal employer employing over 2,000 geospatial intelligence jobs.

HB 515 -- PUBLIC RETIREMENT SYSTEMS

This bill changes the laws regarding the Police Retirement System of the City of St. Louis, the Police Retirement System of Kansas City, the Civilian Employees' Retirement System of the Police Department of Kansas City, and the Employees Retirement System of the City of St. Louis.

POLICE RETIREMENT SYSTEM OF THE CITY OF ST. LOUIS

The bill changes the laws regarding the disability determination process of the Police Retirement System of St. Louis. The bill eliminates the board of police commissioners and transfers its responsibilities to the chief of police. The definition of "medical board" is changed from the board of three physicians of different disciplines appointed by the trustees of the police retirement board and responsible for arranging and passing on all required medical examinations and investigations regarding an application for disability retirement to the health care organization appointed by the trustees with those responsibilities.

The bill repeals the provision which specifies that the conclusions and recommendations regarding an application for disability retirement can be based upon the opinion of a single member or that of an outside specialist if one is appointed.

EMPLOYEES RETIREMENT SYSTEM OF THE CITY OF ST. LOUIS

The bill allows an employee earning creditable service in the Employees Retirement System of the City of St. Louis who subsequently becomes a policeman for the St. Louis Metropolitan Police Department to elect to remain a member of the Employees Retirement System of the City of St. Louis or transfer membership and creditable service to the Police Retirement System of St. Louis.

The Employees Retirement System of the City of St. Louis must pay to the Police Retirement System of St. Louis an amount actuarially determined to equal the liability at the time of the transfer for any employee electing to transfer their benefits to the Police Retirement System of St. Louis.

POLICE RETIREMENT SYSTEM OF KANSAS CITY AND THE CIVILIAN EMPLOYEES' RETIREMENT SYSTEM OF THE POLICE DEPARTMENT OF KANSAS CITY

The bill changes the laws regarding credit for military service for a member of the Police Retirement System of Kansas City and the Civilian Employees' Retirement System of the Police Department of Kansas City. Currently, a member who is on leave of absence for military service must be entitled to service credit for the time spent in military service and must not be required to pay any member contributions for the time. The bill specifies that, on or after August 28, 2015, a member who returns to service from a leave of absence for active duty military service must be entitled to service credit for the time spent in the military service only to the extent the member pays any required contributions to the system for the time he or she was on leave of absence up to a total of five years. The retirement board of each system may waive the required contributions for up to three years of creditable service if the member

provides duty orders under Title 10 or Title 32 U.S.C. and discharge from active duty documentation in the form of a DD214 or NGB23.

The bill changes the laws regarding the Police Retirement System of Kansas City and the Civilian Employees' Retirement System of the Police Department of Kansas City by allowing a nonspouse beneficiary to elect to directly rollover an eligible rollover distribution made on or after January 1, 2010, to a specified individual retirement account, individual retirement annuity, or Roth individual retirement account.

SS SCS HCS HBs 517 & 754 -- TAXATION

This bill changes the laws regarding taxation. In its main provisions, the bill:

(1) Requires interest to be paid at the current annual interest rate determined under Section 32.068, RSMo, on any individual or corporation income tax refund or overpayment if it is not refunded within 45 days of the date the return or claim was filed. Currently, interest is not allowed on the refunds and overpayments refunded within 90 days after the last date to file plus extensions, if permitted. The bill requires the Director of the Department of Revenue to record and deposit all sums of money collected or received from the collection of state taxes within two business days (Sections 32.069, 136.110, and 143.811);

(2) Allows counties in which townships have been abolished to continue to collect a property tax on a county-wide basis for road and bridge purposes for either one year following the abolishment of the townships or until the county voters have approved a property tax for such purposes, whichever occurs first. The property tax must be the same amount as the property tax being levied in the township with the lowest total tax rate immediately before the townships were abolished. The collection of the property tax is to be considered a continuation of a tax and not a new tax (Section 65.620);

(3) Modifies the ballot language for the public safety sales tax in Springfield (Section 94.579);

(4) Authorizes an income tax dependency exemption deduction beginning January 1, 2015 for the taxable year in which a stillborn child was born if the child would otherwise have been a member of the taxpayer's household and a certificate of birth resulting in stillbirth has been issued (Section 143.161);

(5) Limits the calculation of state income tax withholding on tips received by an employee in the course of his or her employment to the amount of total tips reported to the employer in a written statement and specifies that an employer cannot be obligated to pay withholding tax to the Department of Revenue for an employee's under-reported cash tip income. Currently, Missouri follows the federal Internal Revenue Code on how to determine the amount of cash tips that is taxable (Section 143.191);

(6) Allows a taxpayer to claim a credit or refund of an income tax overpayment when the Director of the Department of Revenue examines the taxpayer's return after the period of limitations expires and the examination reveals that the taxpayer would have been eligible for a credit or refund if the examination had been timely. The director must notify the taxpayer of any overpayment discovered, and the taxpayer must file a claim for the credit or refund within one year of the director's notice (Section 143.801);

(7) Specifies that mandatory gratuities imposed by a restaurant must not be subject to state and local sales tax (Section 144.020);

(8) Authorizes a state and local sales and use tax exemption for an aircraft sold to a nonresident of Missouri. To be eligible for the exemption, the aircraft cannot be based in the state and must be removed from the state within 10 days of the later of transfer of title or a return to service associated with a transfer of title (Section 144.030);

(9) Adds a graphing calculator with a taxable value of \$150 or less to the list of items that are exempt from sales tax during the annual sales tax holiday for school supplies and lowers the amount allowed for personal computers or computer peripheral devices from \$3,500 to \$1,500 (Section 144.049); and

(10) Allows a seller to advertise that the required sales tax will be assumed or absorbed into the price of the property sold or the service rendered if the amount of the tax is separately stated on the invoice or receipt. Any person who fails to separately state the assumed or absorbed sales tax on the invoice or receipt will be guilty of a misdemeanor (Section 144.080).

SS SCS HB 522, HB 34, HB 133, HB 134, HB 810, HB 338 & HB 873 -- HIGHWAY DESIGNATION

Currently, the Heroes Way Interchange Designation Program allows for designations of interstate or state-numbered highway interchanges for members of the United States Armed Forces killed in action while performing active military duty with the Armed Forces in Afghanistan or Iraq on or after September 11, 2001. This bill changes the name of the program to the Heroes Way Designation Program, allows for the designation of bridges or segments of highway on the state highway system, and allows a designation for any member of the United States Armed Forces killed in action while performing active military duty.

The bill designates:

(1) The portion of State Highway 115 in St. Louis City from the intersection of Natural Bridge Avenue and Salisbury Street west to the intersection of State Highway 115 and Jennings Station Road as the Theodore McNeal Highway;

(2) The portion of U.S. Highway 160 in Ozark County from the bridge that crosses Bryant Creek to a location two and one-half miles east of the bridge as the Jerry Corp Memorial Highway;

(3) The portion of Highway 63 from the Adair-Macon County line to the northern border of the city limits of the City of Kirksville as the Harriet Beard Highway;

(4) The portion of Business Highway 71 from the Interstate 29 intersection traveling north for two miles and located in Andrew County as the Randy Bever Memorial Highway;

(5) The bridge on Highway CC crossing over North Fork White River in Ozark County as the Irwin C. Cudworth Memorial Bridge;

(6) The portion of Highway 10 from the western border of the city limits of Norborne in Carroll County to the eastern border of the city limits of Hardin in Ray County as the Ray-Carroll County Veterans Memorial Highway;

(7) The portion of U.S. Highway 160 in Ripley County which is located within the city limits of Doniphan as the Billy Yates Highway;

(8) The portion of Highway 54 from the Grand Glaize Bridge in Camden County to Key Largo Road in Camden County as the Veterans Memorial Expressway; and

(9) The portion of State Highway 21 in Reynolds County that runs from Route U to Elm Street in Lesterville as the "Donald Lee Cook Memorial Highway."

HB 524 -- ELECTRONIC RELEASE OF LIENS

This bill allows the Director of the Department of Revenue to authorize a lienholder to electronically release a lien when the lien is on file with the department. The bill requires the department to electronically confirm the receipt of the release.

HB 531 -- LIQUID NICOTINE CONTAINERS

This bill changes the law regarding liquid nicotine containers. The bill requires that any nicotine liquid container that is sold at retail in Missouri to satisfy the child-resistant effectiveness standards set forth in 16 Code of Federal Regulations 1700.15(b) as in effect on the effective date of these provisions. The bill defines "nicotine liquid container" as a bottle or other container of liquid or other substance containing nicotine if the liquid or substance is sold, marketed, or intended for use in a vapor product. It must not include a liquid or other substance containing nicotine in a cartridge that is sold, marketed, or intended for use in a vapor product if the cartridge is prefilled and sealed by the manufacturer and not intended to be opened by

the consumer. Any person who engages in retail sales of liquid nicotine containers in Missouri in violation of these provisions must be assessed a fine of \$250 for the first violation and \$500 for each subsequent violation.

The provisions of the bill and any rules adopted pursuant to these provisions must be null, void, and of no force and effect upon the effective date of the final regulations issued by the federal Food and Drug Administration or from any other federal agency if the regulations mandate child-resistant effectiveness standards for nicotine liquid containers.

HB 567 -- ALPHA PHI ALPHA DAY

This bill designates December 4 as "Alpha Phi Alpha Day" in Missouri. Citizens are encouraged to observe the day with appropriate activities and events to commemorate the founding of the first black intercollegiate Greek-letter fraternity established for African-Americans.

HCS HB 587 -- FEES PAID TO THE DIVISION OF FINANCE

This bill increases specified fees paid to the Director of the Division of Finance within the Department of Insurance, Financial Institutions and Professional Registration. These increases include:

- (1) The investigation fee that must be submitted with an application to obtain or renew a license to issue checks in this state from \$100 to \$300;
- (2) The fee that may be assessed for amending and reissuing an existing license to issue checks in this state is changed from up to \$100 to up to \$300;
- (3) The annual license fee for an individual to engage in the business of a financing institution from \$300 for each place of business to \$500 for each place of business;
- (4) The annual registration fee in order to engage in the business of a premium finance company from \$300 to \$500. Any revised statement of a registration form must be accompanied by a fee of \$300 instead of the current \$100;
- (5) The annual registration fee for a lender of small loans from \$300 to \$500;
- (6) The fee that must accompany a registration statement for a credit service organization from not to exceed \$100 to not to exceed \$300; and
- (7) The annual license fee for a lender of unsecured loans of \$500 or less from \$300 per location to \$500 per location.

SCS HCS HB 613 -- COLLECTION OF PROPERTY TAXES

This bill changes the laws regarding the collection of property taxes. In its main provisions, the bill:

(1) Changes the amount of fees a county collector must collect for collecting local taxes. In counties where the total amount levied in a year is between \$350,000 and \$2 million, the fee is 2.5% on the first \$350,000 collected and 1% on any amount over that amount. In counties where the total amount levied exceeds \$2 million, the fee is 1% on all amounts collected. The bill raises the outer threshold amount for a county to be eligible to collect the 2.5% on the first \$350,000 to \$3 million;

(2) Allows counties in which townships have been abolished to continue to collect a property tax on a county-wide basis for road and bridge purposes for either one year following the abolishment of the townships or until the county voters have approved a property tax for such purposes, whichever occurs first. The property tax must be the same amount as the property tax being levied in the township with the lowest total tax rate immediately before the townships were abolished. The collection of the property tax is to be considered a continuation of a tax and not a new tax;

(3) Specifies that certain merchandise whether or not subject to a short term rental and which will ultimately be sold must be considered inventory for property tax purposes and exempt from taxation. The bill is limited to general rental centers and construction, mining, and forestry equipment rental;

(4) Requires a county assessor when establishing the value of real property to consider existing use of the property, restrictions, limitations, existing covenants or restrictions in the deed, and operational requirements or restrictions imposed on the property to be eligible for state and federal credits and subsidies as residential rental property;

(5) Changes the laws regarding the advertisement of delinquent lands. Currently, a county collector may advertise delinquent lands with an assessed valuation of \$1,000 or less without legal descriptions or the names of the record owners when publishing a delinquent land list for delinquent real property tax. The bill increases the assessed valuation to \$1,500 or less;

(6) Changes the laws regarding the advertisement of a delinquent lot. Currently, a county collector may advertise a delinquent lot if in a development of at least 20 or more lots with an assessed valuation of \$1,000 or less without legal descriptions or the names of the record owners when publishing a delinquent land list for delinquent real property tax. The bill increases the assessed valuation to \$1,500 or less;

(7) Allows a collector, agent of a collector, tax sale purchaser, or an agent of a tax sale purchaser to enter land, without being guilty of trespass, to provide, serve, or post notice of a tax sale or tax sale redemption. Once the reasonable and customary costs of a sale are paid to the county collector, the purchaser, his or her heirs, successors, or assigns; the owner; lienholder; or occupant of any land or lot sold for taxes, or any other persons having an interest therein, must have the absolute right to redeem the land at any time during the following year and must continue to have a defeasible right to redeem the land until the tax sale purchaser acquires the deed. Once the tax sale purchaser acquires the deed, the right to redeem will expire, provided upon the expiration of the lien evidenced by a certificate of purchase under Section 140.410, RSMo, no redemption will be required;

(8) Allows minors and incapacitated and disabled persons to redeem any lands belonging to them sold for taxes within five years of the date of the last payment of taxes encumbering the real estate by the minor, incapacitated or disabled person, the party's predecessors in interest, or any representative of the person in the same manner as provided in Section 140.340 for redemption by other persons;

(9) Specifies that "authorized to acquire the deed" means the date chosen by the tax sale purchaser that is more than the minimum redemption period in Section 140.340 if the tax sale purchaser has complied with the requirements entitling the purchaser to the issuance of a collector's deed including payment of the recording fee for the collector's deed, production of the original of the certificate of purchase as required under Section 140.420 or production of an original affidavit of lost or destroyed certificate approved by the collector as to form and substance, and payment of all subsequent taxes required to be paid under Section 140.440. The bill specifies how any person except a minor or an incapacitated or disabled person may receive notice under the provisions of the bill in a foreign country or outside the United States;

(10) Changes the laws regarding the purchase of delinquent land. Currently, a purchaser of delinquent lands, or his or her heirs or assigns, must pay all subsequent taxes on the property purchased prior to the issuance of any collector's deed and have a deed to be executed and placed on record in the proper county within two years from the date of the sale. The bill shortens the time to 18 months. If no person redeems the lands sold for taxes prior to the expiration of the right to redeem, at the expiration thereof, and on production of the certificate of purchase and upon proof satisfactory to the collector that a purchaser or his or her heirs, successors, or assigns are authorized to acquire the deed, the collector of the county where the sale of the lands took place must execute to the purchaser, or his or her heirs or assigns, in the name of the state, a conveyance of the real estate sold, which will vest in the grantee an absolute estate in fee simple, subject, however, to all claims thereon for unpaid taxes except the unpaid taxes existing at the time of the purchase of the lands and the lien for which taxes was inferior to the lien for taxes for which the tract or lot of land was sold; and

(11) Authorizes all counties of the third and fourth classifications to impose, upon voter approval, a special road rock fund tax at a rate not to exceed \$1 per acre for property classified as agricultural and horticultural. Currently, only certain counties of the third classification without a township form of government are authorized to impose the tax upon voter approval.

SS HB 616 -- ASSESSMENT OF PROPERTY TAXES

This bill specifies that merchandise or equipment held by a rental company and available for short-term rentals of less than 365 consecutive days which will subsequently or ultimately be sold must be considered inventory and exempt from property taxes.

The bill specifies that for purposes of assessment, any new political subdivision that is created by approval of the voters before July 1 of any assessment year must be considered effective upon certification of the vote. If the new political subdivision is created by approval of the voters on or after July 1 of the current assessment year, it must be considered effective for assessment purposes in the following assessment year.

SCS HCS HB 618 -- DISPOSITION OF HUMAN REMAINS

This bill authorizes advanced practice registered nurses, assistant physicians, and physician assistants who have entered into a collaborative practice arrangement to perform specified phases of the death certification process, including data provision, certification of death, and authorization for the final disposition of the decedent's body.

The funeral director or person in charge of final disposition of the body must enter into the electronic death registration system personal data from the next-of-kin, medical certification if so designated by the person responsible for the certification, and any other information or data that may be required.

The person authorized to complete the medical certification may, in writing, designate any other person to enter the medical certification information into the electronic death registration system if the authorized person has signed a statement stating the cause of death. Any person completing the medical certification or entering data into the electronic death registration system must be immune from civil liability for the certification completion, data entry, or determination of the cause of death unless the person acts with gross negligence or willful misconduct.

The bill specifies that the Department of Health and Senior Services must notify all physicians, physician assistants, assistant physicians, and advanced practice registered nurses of the requirements regarding the use of the electronic vital records system.

By August 30, 2015, the Division of Community and Public Health within the department must establish a working group to evaluate the electronic vital records system, develop recommendations to improve the efficiency and usability of the system, and report the findings and recommendations to the General Assembly by January 1, 2016.

The bill specifies that if a funeral director has knowledge that there is more than one person in a class who has equal priority to choose and control the final disposition of a dead human body and who does not agree on the disposition, the decision of the majority of the people with equal priority must control the disposition. The funeral director must allow voting by proxy using a written authorization or instrument.

The bill specifies that a person or association that owns a cemetery is authorized to disinter an individual's remains and rebury or reinter the remains at another location pursuant to written instructions signed and acknowledged by a person who is the next-of kin, as defined in statutes, at the time of death. If the next-of-kin at the time of death is no longer living, a majority of specified members of the deceased person's family may authorize the disinterment.

Currently, a cemetery owner is not liable to the deceased person's family or to any third party for a disinterment, relocation, or delivery of deceased human remains made pursuant to specified provisions. The bill specifies that the cemetery operator, funeral director, funeral establishment, or any other person or entity involved in the process must also not be liable.

HB 629 -- PUBLIC RETIREMENT SYSTEMS

This bill changes the laws regarding public retirement systems.

KANSAS CITY POLICE RETIREMENT SYSTEM

The bill changes the laws regarding the Police Retirement System of Kansas City and the Civilian Employees' Retirement System of the Police Department of Kansas City by allowing a nonspouse beneficiary to elect to directly rollover an eligible rollover distribution made on or after January 1, 2010, to a specified individual retirement account, individual retirement annuity, or Roth individual account in order to be compliant with the federal Internal Revenue Code.

PUBLIC SCHOOL RETIREMENT SYSTEM OF KANSAS CITY

The bill reduces the number of trustees elected by the members of the Public School Retirement System Kansas City from four to three beginning at the election in 2016. Beginning at the election in 2016, one member will be a teacher or administrator of a charter school located in the Kansas City School District. This trustee will be elected for a term of four years by the members of the retirement system.

PUBLIC SCHOOL RETIREMENT SYSTEM OF THE CITY OF ST. LOUIS

The bill modifies the composition of the board of trustees of the Public School Retirement System of the City of St. Louis and modifies the qualifications for the four trustees elected by and from the active members. At least two trustees will be teachers, not more than one trustee will be a nonteacher, and beginning in 2016, one trustee will be a teacher or administrator of a charter school located in the St. Louis City School District.

HB 650 -- AUXILIARY LIGHTING ON MOTORCYCLES

This bill allows a motorcycle to be equipped with, and an operator of a motorcycle to use, auxiliary lighting that is amber and white illumination, standard bulb running lights, or light-emitting diode pods and strips while operating a motorcycle. The lighting must be non-flashing, non-blinking, non-oscillating, and directed toward the engine and drive train of the motorcycle to prevent interference with the motorcyclist's operation of the motorcycle.

SCS HB 686 -- MOTOR VEHICLE JUNKING CERTIFICATES

This bill changes the laws regarding junking certificates on motor vehicles. The bill revises the definition of "junk vehicle" to include a vehicle that has been designated as junk or a substantially equivalent designation by Missouri or any another state. The bill requires the purchaser of a junk vehicle to submit the salvage certificate of title or certificate of ownership to the Director of the Department of Revenue, and the department director must issue a negotiable junking certificate that must authorize the holder to possess, transport, or by assignment transfer ownership in the parts, scrap, or junk.

The department must only issue a junking certificate for any junk vehicle, regardless of whether the designation has been subsequently changed erroneously or by law in this or any other state, and a salvage or original certificate of title must not thereafter be issued for the vehicle. If the vehicle has not been previously designated as a junk vehicle, the applicant making the original junking certificate application must be allowed to rescind the application within 90 days.

SCS HCS HB 709 -- ENTITIES REGULATED BY THE DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

This bill changes the laws regarding entities regulated by the Department of Insurance, Financial Institutions and Professional Registration.

PRESCRIPTIVE AUTHORITY (Sections 195.070, 334.037, 334.104, and 334.747, RSMo)

The bill allows certain advanced practice registered nurses, physician assistants, and assistant physicians to prescribe Schedule II hydrocodone. Hydrocodone prescriptions are limited to a one five day supply without refill.

INFORMATIONAL DOCUMENTS (Sections 374.015 and 374.018)

The bill allows the Director of the Department of Insurance, Financial Institutions and Professional Registration to issue non-binding informational documents for the purpose of educating the insurance industry and the general public about a regulatory topic or issue.

The bill allows the department director to issue a no-action letter stating the intention of the department to not take enforcement actions on a particular insurer based on a specific set of facts presented by the insurer under applicable law as of the date of the issuance of the letter. If there is not a change in any material fact or law or a discovery of a material misrepresentation or omission made by the insurer, the department is estopped from bringing any enforcement action against an insurer who has been issued a no-action letter concerning the conduct that is the subject of the no-action letter.

COORDINATION OF BENEFITS (Section 376.791)

The bill exempts individual health coverage from two subdivisions of Section 376.777 on required policy statements relating to coordination of benefits and requires the department director to promulgate rules to effectuate the new section prior to January 1, 2016.

SS#2 HCS HB 722 -- PROHIBITED ORDINANCES BY POLITICAL SUBDIVISIONS

This bill specifies that all merchants, itinerant vendors, and peddlers doing business in this state must have the option to provide customers with a paper or plastic bag for any item or good purchased. A political subdivision cannot impose any ban, fee, or tax upon the use of paper or plastic bags for packaging any item or good purchased or prohibit a consumer from using a reusable bag.

The bill also prohibits a political subdivision from establishing, mandating, or otherwise requiring an employer to provide to an employee a minimum or living wage rate or employment benefits that exceed the requirements of federal or state laws, rules, or regulations. These provisions must not preempt any state law or local minimum wage requirements in effect on August 28, 2015.

HCS HB 769 -- DIRECT HEALTH CARE SERVICES

This bill specifies that a medical retainer agreement is a contract between a physician and an individual patient or the individual patient's legal representative in which the physician agrees to provide certain health care services described in the agreement to the individual patient for an agreed-upon fee and period of time. A medical retainer agreement is not insurance, entering into a medical retainer agreement is not the business of insurance, and a physician or agent of a physician is not required to obtain a certificate of authority or license to market, sell, or offer to sell a medical retainer agreement.

To be considered a medical retainer agreement for the purposes of this section, the agreement must meet all of the following requirements:

- (1) Be in writing;
- (2) Be signed by the physician or agent of the physician and the individual patient or the individual patient's legal representative;
- (3) Allow either party to terminate the agreement or written notice to the other party;
- (4) Describe the specific health care services that are included in the agreement;
- (5) Specify the fee for the agreement;
- (6) Specify the period of time under the agreement; and
- (7) Prominently state in writing that the agreement is not health insurance.

Any patient who enters into a medical retainer agreement under these provisions may use funds from his or her health savings account (HSA), flexible spending arrangement (FSA), or health reimbursement arrangement (HRA), to pay the fees under the patient's medical retainer agreement, subject to any federal or state law regarding qualified expenditures from a HSA, FSA, or HRA. The employer of an employee with a HSA, FSA, or HRA may make contributions to the employee's HSA, FSA, or HRA to cover all or a portion of the agreed-upon fees under the employee's medical retainer agreement or the employer may pay the agreed-upon fees directly to the physician on behalf of the employee who is a party to the medical retainer agreement.

HB 778 -- 22Q AWARENESS WEEK

This bill designates the 22nd week of each year as "22q Awareness Week" in Missouri and encourages citizens to observe the week with appropriate activities and events to increase awareness of individuals with a chromosome 22q11.2 deletion.

SS SCS HB 799 -- JUDICIAL CIRCUITS

This bill changes the laws regarding judicial circuits. The bill:

- (1) Allows Buchanan County to prosecute and punish violations of county orders in the Circuit Court of Buchanan County or in the county municipal court, if authorized and created by the Buchanan County Commission;
- (2) Provides that any juvenile court employee in a single county circuit which changes from a multi county circuit on or after August 28, 2015 will be considered a state employee, be entitled to state-provided

benefits, state provided retirement benefits, and is no longer subject to the rules regarding multi county circuit court juvenile officers;

(3) Allows the presiding judge of a circuit with a diagnostic and reception center or mental health facility which houses individuals found not guilty by reason of mental disease or defect and provides sex offender rehabilitation and treatment services to appoint a court marshal;

(4) Splits the current 38th Judicial Circuit into two circuits. Beginning January 1, 2017, Christian County will remain within the 38th Judicial Circuit while Taney County will enter the newly created 46th Judicial Circuit. Each circuit will have one circuit judge. The circuit judge in the 46th Judicial Circuit will be elected for an initial two year term and then in 2018 for a full six year term;

(5) Moves Division 12 in the 16th Judicial Circuit from Kansas City to the City of Independence;

(6) Changes the current requirement that counties with a population of 100,000 or more have three associate circuit judges and one additional associate circuit judge for each additional 100,000 people. The provisions of the bill state that, the additional associate judicial positions for every 100,000 people will be subject to appropriations. The bill provides that when an annual judicial performance report indicates that for three consecutive years a judicial circuit with a population of 100,000 people or more is in need of four or more full-time judicial positions then, subject to appropriations, there must be one additional circuit judge position authorized in that circuit. The bill repeals sections of law referencing the appointment of a janitor-messenger in the Circuit Court of the City of St. Louis;

(7) Requires, by December 31, 2015, the presiding judge of each municipal division of a circuit court to report its name and address and any other requested information to the Missouri Supreme Court Clerk. If a municipality elects to abolish or establish a municipal division, the presiding judge of the municipal division must report the dissolution or establishment to the Missouri Supreme Court Clerk;

(8) Allows courts to charge an additional \$10 surcharge in addition to all current court costs and fees in any judicial circuit composed of a single non charter county in order to fund development of a justice center in those counties. The moneys collected from the surcharge must be deposited into a Justice Center Fund and only be used for the costs associated with the land assemblage and purchase, planning and construction, maintenance, and operation of any county or municipal judicial facility or justice center. The bill repeals the provision of law stipulating that any funds not needed be transferred to the political subdivision's general revenue fund and instead requires the political subdivision to maintain records of all funds received and expenditures made;

(9) Creates the Jasper County Judicial Fund for the purpose of funding the development of a county juvenile center in Jasper County. The

funding consists of additional court costs assessed against civil cases, misdemeanor criminal cases, and felony criminal cases in the 29th Judicial Circuit. The judge presiding over the case may waive the fee if the defendant is found to be indigent;

(10) Specifies that in addition to all court fees and costs, a surcharge of \$10 must be assessed as costs in each criminal proceeding filed in Howell County except in any proceeding when the proceeding or defendant has been dismissed by the court or the costs are to be paid by the state, county, or municipality. For violations of the criminal laws of the state or county ordinances, including infractions, a surcharge must not be collected unless it is authorized by the municipal government where the violation occurred. The moneys collected from the surcharge must be deposited into a Justice Center Fund and only be used for the costs associated with the land assemblage and purchase, planning and construction, maintenance, and operation of any county or municipal judicial facility or justice center;

(11) Specifies that in addition to all court fees and costs, a surcharge of \$10 must be assessed as costs in each criminal proceeding filed in Cape Girardeau County except in any proceeding when the proceeding or defendant has been dismissed by the court or the costs are to be paid by the state, county, or municipality. For violations of the criminal laws of the state or county ordinances, including infractions, a surcharge must not be collected unless it is authorized by the municipal government where the violation occurred. The moneys collected from the surcharge must be deposited into a Justice Center Fund and only be used for the costs associated with the land assemblage and purchase, planning and construction, maintenance, and operation of any county or municipal judicial facility or justice center; and

(12) Extends the deadline that the Director of the Missouri State Public Defender System must implement a plan to establish district offices that align with judicial circuit boundaries by December 31, 2021. Moreover, Currently the director of the Missouri State Public Defender System may delegate the legal representation of any individual to any licensed attorney. The bill specifies that the director can delegate the legal representation of people who are eligible for representation by the Public Defender System.

HB 859 -- JACKIE ROBINSON DAY

This bill designates April 15 of each year as "Jackie Robinson Day" in Missouri and encourages citizens to observe the day in honor of Jackie Robinson, the first African-American to play major league baseball.

HB 861 -- MULTIPLE SCLEROSIS AWARENESS WEEK

This bill designates the first full week of March each year as "Multiple Sclerosis Awareness Week" in Missouri and encourages citizens to

participate in appropriate activities and events to increase awareness of multiple sclerosis.

HB 869 -- MOTOR VEHICLE SALES TAX

The bill authorizes a state and local sales and use tax exemption for motor vehicles, trailers, boats, or outboard motors owned and used by the following:

- (1) A not-for-profit civic, social, service, or fraternal organization in its civic or charitable functions and activities;
- (2) A private, not-for-profit elementary school, secondary school, or higher education institution in the conduct of its educational functions and activities; and
- (3) An elementary school, secondary school, or higher education institution in the conduct of its education functions and activities that are supported by public funds.

Any transfer of motor vehicles, trailers, boats, or outboard motors because of a corporate merger, liquidation, exchanges of stock or securities, capital contribution, purchasing a partnership interest, dividend distribution, or liquidation of partnership interest is also included in the exemption.

HB 874 -- WALT DISNEY - A DAY TO DREAM DAY

This bill designates October 16th each year as "Walt Disney - 'A Day to Dream' Day" and encourages citizens to participate in appropriate activities and events to commemorate the life and accomplishments of Walt Disney.

SCS HB 878 -- CORPORATE SECURITY ADVISORS

This bill specifies that the Director of the Department of Public Safety must have the sole authority to commission corporate security advisors. A person cannot hold a commission as a corporate security advisor without a valid peace officer license. The department director may commission corporate security advisors as he or she deems appropriate taking specified factors into consideration. A licensed corporate security advisor who is not also commissioned by the department must not have the power of arrest for violations of the criminal code.

The department must establish a minimum amount of liability insurance to be provided by a prospective or current employer of the corporate security advisor and require the employer to provide a statement that the corporate security advisor will be included in the policy as a named insured.

The bill specifies that the provisions of the bill are not intended nor must they be construed as a waiver of sovereign immunity or the acknowledgment or creation of any liability on the part of the state for personal injury, death, or property damage. The department and department director must have immunity from civil liability arising out of the commissioning of corporate security advisors under these provisions.

SCS HB 947 -- CONVEYANCE OF STATE PROPERTIES

This bill authorizes the Governor to convey certain state property located in Christian, Greene, Jackson, Pulaski, St. Charles, St. Louis, Saline, Shannon, and Vernon Counties.

HB 1022 -- RETURN OF PREMIUMS

This bill allows a casualty insurer to return or refund a portion of its expense savings to an insured if the insured makes no reportable claim under specified coverages within a prescribed period of time established by the insurer, regardless of whether the claim is due to the fault of the insured. The return of savings may be represented as a predetermined portion of the premium and must not constitute a rebate or an unfair trade practice under Sections 375.930 to 375.948, RSMo.

HB 1052 -- LAND SURVEYORS

This bill removes from the description of the practice of a professional land surveyor work which involves the survey of easements. The survey and location of rights-of-way are not exclusive to professional land surveyors unless the survey affects real property rights as defined in current law. The bill specifies that any document prepared between August 27, 2014 and August 28, 2015, must remain valid and enforceable even though any legal description contained in the document was not prepared by a professional land surveyor.

SCS HB 1070 -- OFFICE OF MILITARY ADVOCATE

This bill establishes the Office of Military Advocate within the Missouri Military Preparedness and Enhancement Commission for the purpose of advocating for the military in Missouri. The office must be administered by the military advocate, who will be appointed by the Governor with the advice and consent of the Senate. The advocate will serve a term of six years and the Department of Economic Development must provide administrative support and staff as needed to support the office.

SCS HB 1098 -- BANKS AND TRUST COMPANIES

This bill modifies the definition of "out-of-state bank or trust company" to reflect the name change of the Office of Thrift Supervision to the Office of the Comptroller of the Currency.

Currently, prior to acting in any fiduciary capacity in this state, an out-of-state bank or trust company must file with the Director of the Division of Finance within the Department of Insurance, Financial Institutions and Professional Registration an application for a certificate of reciprocity that states specified information. This bill requires the application to also state whether it intends to establish a trust representative office, facility, branch, or other physical location in the state and the activities to be conducted there.

The bill specifies that if an out-of-state bank or trust company has established a physical location in the state, it may also be served legal process at the location by service upon any officer, agent, or employee. Moreover, the Director of the Division of Finance has the discretion to enter into a memorandum of understanding with the bank or state regulator of another state to adjust the minimum capital requirement or such other terms to obtain reciprocity for Missouri trust companies.

HB 1116 -- ROHHAD AWARENESS DAY

This bill designates May 7 as "ROHHAD Awareness Day" in Missouri. Rapid-Onset Obesity with Hypothalamic Dysfunction, Hypoventilation and Autonomic Dysregulation (ROHHAD) is a rare syndrome characterized by rapid-onset obesity in the first 10 years of life. The bill encourages Missouri citizens to participate in awareness and educational activities on the symptoms and impact of ROHHAD and to support programs that advance the treatment, assist in finding a cure, enhance the quality of life of ROHHAD children, and ease the financial burden of families with children suffering from the syndrome.

HB 1119 -- LINEWORKER APPRECIATION DAY

This bill designates the second Monday in April each year as "Missouri Lineworker Appreciation Day" and recommends that people of the state observe the day with activities that will bring about an increased awareness of the profession and contributions of lineworkers.

SCS HB 1149 -- DIVISION OF YOUTH SERVICES

This bill changes the laws regarding the Division of Youth Services within the Department of Social Services.

The bill defines "youth" as a person under 21 years of age committed to the custody of the division and requires work performed by a youth committed to the division in any state park, the state park board is authorized to pay wages from appropriations made to the state park board. The bill permits the division to:

(1) Establish and offer on-the-job vocational training to develop work habits and equip youth committed to the division with marketable skills; and

(2) Provide for the payment of reasonable wages for work or tasks performed by a youth committed to the division. All payments made to or on behalf of the youth must be property of the youth, however the division may place restrictions on the youth's access to the funds as the division determines appropriate, in the best interests of the youth, and to assure security in the division's facilities. All funds paid to or on behalf of the youth in accordance with this subsection must be deposited in the DYS trust fund.

The bill creates a special class of trust funds to be known as the DYS Trust Fund for depositing wages earned by a youth or for other funds provided for the use or benefit of the youth. These funds will be established for each facility where youth are located in the custody of the division throughout the state and the division must deposit money in a DYS trust fund with a financial institution. Any funds not expended by or on behalf of the youth before the youth's release from DYS residential care must be paid to the youth upon release from DYS residential care. The division must establish by regulation a program for youth to access funds for reasonable purposes while the youth is in DYS residential care and the program must include training for youth on wise money management, maintaining personal financial accounts, and saving money for use after discharge from DYS residential care.

The bill also creates a special trust fund to be known as the DYS Child Benefits Fund within the state treasury for depositing of payments from the Social Security Administration to youth in DYS custody. Moneys in this special trust fund must not be deemed to be state funds and must be used only for the purposes specified by federal or state law, or regulation of the division. The state treasurer must be custodian of the fund and may approve disbursements from the fund. The State Treasurer must invest moneys in the fund in the same manner as other funds are invested. Any funds not expended by or on behalf of the youth before release from DYS residential care must be distributed as required by federal law.

The division may accept an appointment to serve as representative payee or fiduciary, or in a similar capacity for payments to a youth and any money received by the division under this section on behalf of a youth must be deposited in either a DYS trust fund or the DYS Child Benefits Fund and accounted for in the name of the youth or as representative payee of the youth. The division may accept funds which a parent, guardian, or other person wishes to provide for the use or benefit of the youth. The funds must be deposited in a DYS Trust fund in the name of the youth at the DYS facility. Each youth must be furnished annually

with a statement listing every transaction involving funds which have been deposited with the division on the youth's behalf, to include all receipts and disbursements.

The division must promptly disburse any balance of money accumulated in the youth's account when the youth is released from DYS residential care or upon death of the youth as specified in the bill. Moneys in the fund may be claimed as specified in the bill and moneys remaining unclaimed after five years must be credited to the state treasury as specified in the bill.

The bill prohibits moneys in either fund from being transferred to the General Revenue Fund at the end of each biennium. The provisions of the bill must not be deemed to apply to funds regularly due the state of Missouri for the support and maintenance of youth in the care and custody of the division or collected by the state of Missouri as reimbursement for state funds expended on behalf of the youth.

CCS HCS SS SCS SB 5 -- LOCAL GOVERNMENT

This bill makes changes to what is commonly referred to as the Macks Creek Law regarding municipal fines. The bill establishes minimum standards for every municipality to be complied with within three years of the effective date of the bill, except as specified. Each municipality must:

- (1) Prepare an annual balanced budget and annually be audited by a certified public accountant;
- (2) Implement a cash management and accounting system;
- (3) Obtain adequate insurance coverage to minimize risk;
- (4) Provide access to a hard copy or on-line set of municipal ordinances within 10 business days of any written request;
- (5) Have, within six years of the effective date of the bill, an accredited or certified police department or a contract for police service with a police department accredited or certified;
- (6) Have written policies regarding the operation of emergency vehicles, hot pursuit of suspects, use of force and collection and reporting of criminal information;
- (7) Establish written policies for collecting and reporting data for the municipality as required by law and forward the policies to the Attorney General's office;
- (8) Establish construction code review, directly or by contract; and
- (9) Publish, annually, on the municipality's or county's website, as specified, how compliance with the policies and procedures was achieved.

Any resident of the municipality may file an affidavit with the Attorney General if he or she believes that the municipality has failed to meet the minimum standards. If the Attorney General finds a basis for the claim and the municipality fails to rectify the situation within 60 days, then the office may file suit in the circuit court with jurisdiction over the municipality.

If the court rules against the municipality, the remedies include:

- (1) The appointment of an administrator over the municipality's affairs;
- (2) Possible removal of the municipality's elected officials; and
- (3) Disincorporation via ballot initiative or court order.

The bill requires the presiding judge of the circuit court in which each municipal division is located to notify the Clerk of the Supreme Court of the name and address of the municipal division by September 1, 2015. The presiding judge of the circuit court in which each municipal division is located must notify the clerk of the Supreme Court if a municipality elects to abolish the municipal division. The Missouri Supreme Court must develop rules regarding conflict of interest for any prosecutor, defense attorney, or judge that has a pending case before the municipal division of any circuit court.

The following conditions apply to minor traffic violations:

- (1) The court must not assess a fine that will make the total for the fine and court costs exceed \$300;
- (2) The court must not sentence a person to confinement, except in limited classes of violations;
- (3) A person must not be placed in confinement for failure to pay a fine, except when violating terms of probation;
- (4) Court costs that apply must be assessed against the defendant with specified exceptions; and
- (5) Court costs must not be assessed if the case is dismissed or the defendant is indigent based on rules developed by the presiding judge having jurisdiction of the municipal court.

The bill reduces the threshold at which a county, city, town, or village must send excess revenues from traffic violations to the director to be distributed annually to the schools of the county. Beginning January 1, 2016 or on the first day of the fiscal year immediately following for any municipality with a fiscal year start date other than January 1, the percentages are reduced from 30% to 12.5% for Saint Louis County and from 30% to 20% in other counties.

Every county, city, town, and village must submit an addendum with their annual financial report to the State Auditor with an accounting of annual general operating revenue, total revenues from fines, bond forfeitures,

and court costs for traffic violations, and the percent of annual general operating revenue from traffic violations. This addendum must be signed by a representative with knowledge of the subject matter as to the accuracy of the addendum contents, under oath and under penalty of perjury, and witnessed by a notary public.

These provisions also require all counties, cities, towns, and villages to submit an addendum signed by its municipal judge certifying substantial compliance with certain municipal court procedures. These procedures include:

(1) Defendants who are arrested pursuant to an arrest warrant must be given the opportunity to be heard by a judge within 48 hours for a minor traffic violation or within 72 hours for any other charge, otherwise they must be released;

(2) Defendants may not be for more than 24 hours without charge or without a warrant;

(3) Defendants may not be held to coerce payment of fines or court costs;

(4) The municipal court must have procedures to allow indigent defendants to present proof of their indigency and the court must take this evidence into account when pronouncing a sentence;

(5) The municipal court may only assess fines and court costs as authorized by law;

(6) An additional charge may not be issued for the defendant's failure to appear for minor traffic violations;

(7) The municipal court conducts proceedings in a courtroom that is open to the public and can reasonably accommodate the public, the parties, and the attorneys;

(8) The court must make use of alternative payments and community service when appropriate; and

(9) The municipal court has adopted a pay-by-mail or electronic payment system for minor traffic violations.

The State Auditor must report to the Director of the Department of Revenue whether or not the financial report addendums were timely filed and must forward all addendums to the director. The director must also review the addendums filed by municipalities as required in Sections 479.359 and 479.360, RSMo, to determine if any municipality failed to file the required addendums or remit excess revenues.

If a county, city, town, or village is determined by the director to have failed to remit the excess amount of annual general operating revenue or file the required addendums, then it has 60 days to correct the issue or it may seek judicial review of the finding by the director within 30 days.

If a final determination is made that a county, city, town, or village failed to make an accurate or timely report or to send excess revenues to the director, any matters pending in the municipal court must be certified to the circuit court in which the municipal division is located and reassigned to other divisions within the circuit court. All fines, bond forfeitures, and court costs generated from any matter reassigned to the circuit court are considered excess revenue and the municipality is not entitled to the revenue. Any amount of moneys the municipality is entitled to receive from local sales tax distributions must be turned over to the director for distribution to the schools within the county in the same manner that all penalty proceeds are distributed to the extent the municipality failed to remit excess revenues. If any county, city, town, or village fails to send excess revenues to the director, said county, city, town, or village must have an election upon the question of disincorporation for the county, city, town, or village according to the procedure specified in the bill. Upon the affirmative vote of 60% of voters on the question, the county governing body is required to disincorporate the city, town, or village.

The bill contains a severability clause and if any provision of the bill or its application to anyone or to any circumstance is held invalid, the remainder of the provisions and the application of the provisions to others or other circumstances must not be affected.

HCS SS SCS SB 12 -- AGRICULTURE

This bill changes the laws regarding agriculture.

URBAN AGRICULTURAL ZONES (Section 262.900, RSMo)

The bill modifies the definition of "processing UAZ" to include a type of UAZ that processes produce for human consumption. The bill requires any local sales tax revenues received from the sale of agricultural products sold by a mobile unit, defined as a motor vehicle, associated with a vending UAZ to be deposited into the Urban Agricultural Zone Fund. Fund moneys must be equally allocated to school districts and to municipalities that have urban agricultural zones for UAZ improvements. A municipality's allocation of fund moneys must be based upon the municipality's percentage of local sales tax revenues deposited into the fund. The municipalities must, upon appropriation, provide fund moneys to urban agricultural zones within the municipality for improvements.

BEEF COMMODITY MERCHANDISING PROGRAM (Section 275.352)

Currently, state fees are not allowed to be collected by the Beef Commodity Merchandising Program in excess of a commensurate amount credited against a federal assessment of beef producers. The bill establishes a referendum procedure for the Beef Commodity Council to follow in order to authorize the collection of state fees or to change the amount of the fee that includes submitting a petition approved by a two-thirds vote of the council or signed by 25% of Missouri beef producers to the Director of the Department of Agriculture. The petition

must establish or modify a checkoff fee and specify the amount and manner of collection of the fee to be assessed.

Upon receipt of the petition, the department director must perform specified tasks including determining the legal sufficiency of the petition, establishing a list of beef producers, holding a public hearing on the proposed program, publishing a notice to beef producers, providing forms for beef producers to register with the department in order to be eligible to vote, approving or disapproving the petition, and holding a referendum after approval of a petition. The bill specifies the criteria to determine if the referendum passes.

A proposal to terminate the checkoff fee may be made by a majority of the council or by a petition of 10% of registered beef producers. The proposed termination must be submitted to a referendum under which a simple majority is required.

A referendum to change the amount of the fee or to make other major changes cannot be held within 12 months of a referendum conducted for a similar purpose. The fees imposed must be collected and remitted to the Missouri Beef Industry Council.

MISSOURI LIVESTOCK MARKETING LAW (Section 277.040)

The bill specifies that all license fees collected under the Missouri Livestock Marketing Law cannot yield revenue greater than the total cost of administering the law during the ensuing year.

CERTIFIED COMMERCIAL PESTICIDE APPLICATORS (Section 281.065)

Currently, a certified commercial pesticide applicator must furnish evidence of financial responsibility with the Director of the Department of Agriculture in order to receive a license. Following the receipt of the initial license, the bill removes the requirement for an applicant to furnish the evidence for license renewal unless upon request of the department. Annual renewals for surety bonds or liability insurance must be maintained at the business location from which the applicator is licensed. If the department director so requests in writing, the applicator must furnish a copy of the bond or certificate within 10 working days of receiving the request. The amount of the required bond or insurance is increased from not less than \$25,000 for property damage and bodily injury insurance, each separately and for each occurrence, to not less than \$50,000 for each occurrence. The applicator must immediately notify the department director of the cancellation or reduction of financial responsibility for any applicator or employer of the applicator. The applicator or applicator's employer must maintain the bond or insurance certificate at the business location from which the applicator is licensed. If the financial responsibility furnished becomes unsatisfactory, new financial responsibility instruments must be immediately executed and maintained at the business location.

VEHICLES HAULING LIVESTOCK AND AGRICULTURAL PRODUCTS (Section 304.180)

Currently, the total gross weight of a vehicle or combination of vehicles hauling milk from a farm to a processing facility in the state cannot exceed 85,500 pounds with the exception of vehicles operated on the Dwight D. Eisenhower System of Interstate and Defense Highways. The bill adds livestock to the current weight limit exemption for milk haulers and allows vehicles hauling livestock to carry up to 85,500 pounds on all state highways other than the interstate system with the specified exception.

The bill allows any vehicle or combination of vehicles hauling grain or grain co-products during times of harvest to exceed the maximum allowable weight limitations by up to 10% on highways other than the interstate highway system. This provision must not apply to vehicles operating on the Dwight D. Eisenhower System of Interstate and Defense Highways.

LABELING OF MOTOR FUEL PUMPS (Section 414.300)

The bill requires the Department of Agriculture to propose a rule regarding renewable fuels and the labeling of motor fuel pumps by January 1, 2016.

FOREIGN OWNERSHIP OF AGRICULTURAL LAND (Section 442.571)

Currently, the sale, transfer, or acquisition of any agricultural land by an alien or foreign business must be approved by the Director of the Department of Agriculture. The bill requires a sale or transfer of agricultural land by an alien or foreign business to be submitted to the department director for review only if there is no completed Internal Revenue Service Form W-9 signed by the purchaser. Any security interest in the agricultural land held by a person as an agent, trustee, or other fiduciary for an alien or foreign business cannot be divested or invalidated by a violation of specified provisions regarding aliens and corporations of foreign countries acquiring and holding real estate.

LIABILITY FOR LIVESTOCK ACTIVITIES (Section 537.325)

Currently, an equine activity sponsor or an equine professional have limited liability for injuries or death from accidents resulting from the inherent risks of equine activities. The bill expands the limited liability to include a livestock activity sponsor, a livestock owner, a livestock facility, and a livestock auction market or any of their employees for injuries or death of a participant resulting from the inherent risks of livestock activities with the exception of specified circumstances.

Livestock activities include grazing, herding, feeding, branding, milking, or other activities that involve the care or maintenance of livestock; a livestock show, fair, competition, or auction; a livestock training or teaching activity; boarding livestock; and inspecting or evaluating livestock.

Currently, equine activity sponsors must post a warning sign on or near specified areas where equine activities are conducted. The bill requires

the warning sign to also be posted where livestock activities are conducted.

SCS SB 18 -- SALES TAX LAW MODIFICATIONS

This bill requires the Department of Revenue to notify affected sellers when a change in the amount of sales tax due is modified by a decision of the director, Administrative Hearing Commission, or a court that revises which items or services are taxable before the modification can take effect for the sellers. If the department fails to notify a seller of the change, the seller will not be liable for the additional taxes due under the modification until the seller is notified.

SCS SB 19 -- ALLOCATION OF CORPORATE INCOME

Currently, in determining what portion of a corporation's income is taxable in Missouri, the business may use a method whereby the ratio of instate sales to total sales is multiplied by the net income. A method for determining whether sales of tangible property are to be considered instate is already established in current law. This bill specifies a process for all other sales.

For sales of real property or rentals of tangible personal property, the portion of the property sold or rented that is located in this state must be considered an instate sale. For sales of service, the portion of the benefits delivered to purchasers in this state must be considered an instate sale.

For rentals or licenses of intangible property, the portion used in this state by the rentee or licensee must be considered an instate sale. Intangible property used for marketing must be considered used in this state if the good or service being marketed is purchased by a consumer in this state. Franchise fees or royalties for intangible property must be considered used in this state if the franchise is located in this state.

For sales of intangible property, the portion of the sale used in this state must be considered an instate sale. If the sale is for the right to conduct business activity in a certain geographic area, the sale must be considered instate if the geographic area is in this state. If receipts for sales of intangible property are dependent on use or productivity, the sale must be considered a lease or rental of intangible property. All sales of intangible property other than the right to conduct business in a specific area or sales with receipts contingent on productivity or use must be excluded from the sales factor when determining corporate income tax.

If it cannot be determined or reasonably approximated that a sale occurs in this state, the sale must be excluded from the sales factor for corporate income taxation.

SB 20 -- SALES AND USE TAX EXEMPTION

This bill authorizes a state and local sales and use tax exemption for material, machinery, and energy used by commercial laundries in treating or cleaning textiles. The facility must process at least 500 pounds per hour and 60,000 pounds per week to qualify for the exemption.

CCS HCS SS#2 SCS SB 24 -- NONMEDICAL PUBLIC ASSISTANCE

(Vetoed by the Governor -- Overridden by the General Assembly)

This bill, known as the Strengthening Missouri Families Act, modifies provisions of the Temporary Assistance for Needy Families (TANF) program and the Supplemental Nutrition Assistance Program (SNAP).

The bill requires the Department of Social Services to conduct an investigation and determine if an individual is cooperating with a work activity requirement under the TANF program. If he or she is non-compliant, a representative of the department must conduct a face-to-face meeting and explain the potential sanction of TANF benefits, as well as the requirements to cure a sanction. The TANF recipient must then have six weeks to comply with the work activity requirement. Failure to do so will result in a sanction consisting of a 50% reduction of benefits for a maximum of 10 weeks. During the period of sanctions, the person must remain on the caseload in sanction status and a representative of the department must attempt to meet face-to-face with the person to explain the existing sanction and the requirements to cure the sanction. To cure a sanction, he or she must perform work activities for a minimum average of 30 hours per week for one month. If the individual does not cure the sanction, the case must be closed. The bill allows for him or her to reapply for benefits by completing work activities for a minimum average of 30 hours per week within one month of the eligibility interview. When a TANF recipient marries, the new spouse's income and assets must be disregarded for six consecutive months and the disregard must be a once-in-a-lifetime benefit for the recipient.

Beginning January 1, 2016, the following changes must be made to the TANF program:

(1) The life-time limit for TANF must be 45 months. This limit must not apply to minors and those families qualifying for a hardship exemption;

(2) The department must implement a cash diversion program that grants an eligible TANF benefit recipient a lump-sum cash grant for short-term needs, as well as job referrals or referrals to career centers, in lieu of signing up for the long-term monthly cash assistance program upon a showing of good cause. This lump-sum benefit must not apply toward the life-time TANF benefit limit. Good cause may include loss of employment, excluding voluntarily quitting or a dismissal due to poor job performance; catastrophic illness; domestic violence; or other

emergencies rendering a family member unable to care for the basic needs of the family. The lump-sum maximum limit must be set at three times the family size allowance and for use once in a 12-month period and for only five instances in a lifetime;

(3) The department must develop a standardized program orientation for TANF applicants that informs the applicant of the program's rules and work requirements, as well as the consequences if the work requirements are not met. The department must not issue a case without receiving confirmation that a TANF applicant has signed a participation agreement; and

(4) Any individual seeking benefits will be required to engage in work activities before becoming eligible.

Of the moneys received by the state under the TANF block grant during each fiscal year, the Department of Social Services must, consistent with federal law and subject to appropriation, set aside a minimum of:

(1) Two percent to fund the alternatives to abortion services program and the alternatives to abortion public awareness program; and

(2) Two percent to fund healthy marriage promotion activities and activities promoting responsible fatherhood.

The Supplemental Nutrition Assistance Program allows states with a certain level of unemployment to seek a waiver of the work requirement for assistance. Missouri currently has a waiver. Beginning January 1, 2016, the bill removes the waiver and reinstates the work requirements. Any savings resulting from the changes to TANF and SNAP under the bill must be used to provide child care assistance for single parents, education assistance, transportation assistance, and job training for individuals receiving benefits under the programs as allowable under law. The Department of Social Services must make an annual report to the Joint Committee on Government Accountability on the progress of implementation and include specified data. The joint committee must meet at least once a year to review the report and make recommendations to the President Pro-Tem of the Senate and the Speaker of the House.

HCS SCS SBs 34 & 105 -- MILITARY, OVERSEAS, AND ABSENTEE VOTING

This bill allows a covered voter, as specified in the bill, who has been discharged from military service, has returned from military deployment or activation, or has separated from employment outside of the United States after the voter registration deadline and who is otherwise qualified to register to vote to register to vote in an election in person before the election authority until 5:00 p.m. on the Friday before an election if he or she can show sufficient evidence of qualifying for late registration.

Currently, certain military and overseas voters who are not registered to vote are only permitted to vote in elections for federal offices. The bill allows any covered voter to also vote in elections for statewide

offices, state legislative offices, or statewide ballot initiatives by submitting a federal postcard application at the polling place even though the person is not registered. A federal postcard application must also serve as a voter registration application and the election authority must, if satisfied that the applicant is entitled to register, place the voter's name on the voter registration file.

An application for a military-overseas ballot must be deemed timely if it is received by 5:00 p.m. on the Friday, instead of by 5:00 p.m. on the Wednesday, prior to the election.

The bill allows participants in the Address Confidentiality Program established under Sections 589.660 to 589.681, RSMo, to vote by absentee ballot if they have safety concerns about voting in person on election day.

The bill contains an emergency clause.

SS SB 58 -- COMMITTEES, BOARDS, AND COMMISSIONS

This bill changes the laws regarding committees, boards, commissions, and task forces.

The bill repeals the provisions regarding a joint legislative committee that was created to oversee the destruction of certain documents by the Commissioner of Administration and the Division of Finance (Sections 33.150 and 361.120, RSMo).

The membership of the Governmental Emergency Fund Committee is modified by designating the Commissioner of Administration as ex officio comptroller of the committee and replacing the Director of the Division of Facilities Management, Design and Construction with the Director of the Department of Revenue as a consultant to the committee (Section 33.710).

Technical modifications are made to the provisions regarding the Criminal Records and Justice Information Advisory Committee, and references to non-existent boards and commissions are repealed (Sections 43.518, 160.530, 191.828, 217.550, 217.567, 320.092, and 348.439).

Currently, the State Mental Health Commission includes one member who is a physician recognized as an expert in the evaluation or habilitation of persons with disabilities. The bill requires that member to be a physician, licensed clinical psychologist, or other licensed clinician recognized as an expert in the evaluation or treatment of persons with disabilities (Section 630.010).

The bill repeals the provisions regarding several committees, commissions, and a task force that have been dissolved or expired as required by their authorizing statutes, including:

- (1) The Advisory Committee on Tobacco Securitization (Section 8.597);
- (2) The Joint Committee on Corrections (Sections 21.400 to 21.465);
- (3) The Joint Committee on Capital Improvements and Leases Oversight (Sections 21.530 to 21.537);
- (4) The Joint Committee on Missouri's Energy Future (Section 21.830);
- (5) The Joint Committee on the Missouri Criminal Code to evaluate removal of offenses from the Sexual Offender Registry (Section 21.835);
- (6) The Joint Committee on Solid Waste Management District Operations (Section 21.850);
- (7) The Joint Committee on Missouri's Promise (Section 21.920);
- (8) The Missouri Investment Trust and its board of trustees (Sections 30.953 to 30.971);
- (9) The Joint Subcommittee on Recovery Accountability and Transparency within the Joint Committee on Legislative Research (Section 33.850);
- (10) The Committee on State-operated Wireless Communication Systems (Section 37.250);
- (11) The Joint Committee on Real Property Tax Increment Allocation Redevelopment (Section 99.863);
- (12) The Joint Committee of General Assembly to review Economic Stimulus Act (Section 99.971);
- (13) The Joint Committee of General Assembly to review Rural Economic Stimulus Act (Section 99.1057);
- (14) The SB 844 (2010) version of the provisions that created the Missouri Ethics Commission (Section 105.955);
- (15) The Children's Vision Commission (Section 167.195);
- (16) The Newborn Hearing Screening Advisory Committee (Section 191.934);
- (17) The Chronic Kidney Disease Task Force (Section 192.632);
- (18) The State Commission on Regulatory Barriers to Affordable Housing (Sections 215.261 and 215.262);
- (19) The Joint Committee on Gaming and Wagering (Section 313.001); and
- (20) The Missouri Oral Chemotherapy Parity Interim Committee (Section 338.321).

This bill changes the laws regarding courts. In its main provisions, the bill:

(1) Authorizes Buchanan County to prosecute and punish violations of its county orders in the circuit court;

(2) Allows the presiding judge of a circuit with a diagnostic and reception center operated by the Department of Corrections or a mental health facility operated by the Department of Mental Health as of January 1, 2015, which houses individuals found not guilty of a crime by reason of mental disease or defect and provides sex offender rehabilitation and treatment services to appoint a circuit court marshal;

(3) Requires, by September 1, 2015, the presiding judge of a circuit court in which a municipal division is located to report the name and address of the municipal division and any other requested information to the Clerk of the Supreme Court on a standardized form developed by the clerk. If a municipality elects to abolish or establish a municipal division, the presiding judge of the circuit court in which the municipal division is located must notify the clerk of the dissolution or establishment and the presiding judge of any new municipal division must complete the required report within 90 days of the division's establishment;

(4) Creates the Jasper County Judicial Fund and authorizes a court case surcharge in Jasper County for the purchase, lease, and operation of a county juvenile center and for the county judicial facility, including utilities, maintenance, and building security. The amount of the surcharge varies as specified in the bill, depending upon the type of case. These provisions will expire on August 28, 2025;

(5) Specifies that a surcharge of up to \$10 may be collected in all civil and criminal proceedings, excluding violations of traffic laws or ordinances, filed in Howell County. In criminal cases the surcharge must first be authorized by a county or municipal order, ordinance, or resolution. The moneys collected from the surcharge must be used for the costs associated with the land assemblage, construction, maintenance, and operation of any county or municipal judicial facility. The county or municipality must maintain a separate account known as the justice center fund which is limited to the uses specified in the bill. These provisions must expire on August 28, 2025;

(6) Authorizes a surcharge of \$1 in each court proceeding filed in the Ozark Regional Juvenile Detention District, consisting of the counties of Christian, Douglas, Ozark, Taney, and Wright, for the repair, maintenance, and operation of any regional juvenile detention district facility including utilities, maintenance, and building security. These provisions must expire on August 28, 2025;

(7) Specifies that execution for the purpose of restoring possession in a landlord tenant action must be issued no sooner than 10 days after the judgment; and

(8) Changes the laws regarding landlord tenant actions. Currently, if on any date after the date of any original trial, the defendant satisfies the judgment and pays all costs, the execution for possession of the premises must cease and be stayed. The bill requires that in order to cease and stay an execution for possession, the defendant must satisfy the judgment on any date after the date of any original trial and before the judgment becomes final. The execution of a judgment restoring possession must be stayed upon the posting of an appeal bond by the losing party. Any appeal bond to stay execution of a judgment restoring possession must be posted within 10 days of an entry of judgment by the trial court.

SB 68 -- INDUSTRIAL DEVELOPMENT CORPORATIONS

This bill specifies that the director of any industrial development corporation formed by a municipality in St. Francois County may be a taxpayer and registered voter in the county.

SS SCS SB 87 -- POLITICAL SUBDIVISIONS

This bill requires the State Auditor to audit any political subdivision of the state if requested to do so by a petition only if it is submitted by a person who resides or owns real property within the boundaries or area of service of the political subdivision, the petition is submitted within one year from requesting the petition, and it is signed by the required percent of qualified voters of the subdivision. Any person who has signed or allegedly signed the petition may submit a sworn statement to the State Auditor that he or she did not sign the petition or that he or she wishes to rescind the signature. The statement must be made within 10 days from submission of the petition to the State Auditor. If the statement is timely filed, the signature must be withdrawn and must not count toward the required threshold.

SCS SB 93 -- CAMPUS FREE EXPRESSION ACT

This bill establishes the Campus Free Expression Act to protect free expression on college and university campuses.

The bill designates the outdoor areas of campuses of public institutions of higher education to be traditional public forums. Public institutions of higher education may maintain and enforce reasonable time, place, and manner restrictions in service of a significant institutional interest only when the restrictions employ clear, published, content and viewpoint-neutral criteria and provide for ample alternative means of expression.

Any person may freely engage in noncommercial expressive activity so long as the person's conduct is not unlawful and does not materially and substantially disrupt the institution's functioning.

These provisions may be enforced in a court of competent jurisdiction by the Attorney General or any person whose expressive rights were violated under these provisions. A person may recover compensatory damages, reasonable court costs, and attorney fees. If a court finds a violation occurred it must award no less than \$500 for the initial violation, plus \$50 for each day the violation continues. A suit for violation of these provisions must be brought within one year of the day the cause of action accrues as specified in the bill.

CCS#2 HCS SB 104 -- ELECTIONS

This bill changes the laws regarding elections. In its main provisions, the bill:

(1) Prohibits an individual from qualifying as a candidate for elective public office who has been found guilty of or pled guilty to a felony or misdemeanor under federal law or to a felony under the laws of this state or to an offense committed in another state that would be considered a felony in this state;

(2) Requires an individual who files as a candidate for election to public office to be disqualified if he or she is delinquent in the payment of specified taxes or the individual is a past or present corporate officer of any fee office that owes any taxes to the state. Each candidate must file an affidavit with the Department of Revenue declaring that he or she is not aware of any delinquency and include a copy of the affidavit with the required declaration of candidacy;

(3) Specifies that Sections 115.307 to 115.405, RSMo, regarding political parties and nomination of candidates, must not apply to candidates for special district offices; township offices in township organization counties; or city, town, and village offices;

(4) Requires any action brought challenging the ballot title or fiscal note to be fully and finally adjudicated within 180 days of filing and more than 56 days prior to the election or the action must be extinguished unless a court extends the period upon a finding of good cause for the extension;

(5) Repeals obsolete provisions regarding the election of school board members in St. Joseph School District based on the 1960 census and requires the district to hold elections annually at the same times and places as general municipal elections for all years where one or more terms expire. Currently, school board members in the district serve a six-year term. The bill changes the term to three years upon the expiration of any term after August 28, 2015;

(6) Requires all elections for any school district that becomes an urban school district because of the 2000 federal census must be held annually

at the same times and places as general municipal elections for all years where one or more terms expire and the terms must be for three years;

(7) Requires a candidate for the school board in the St. Joseph School District to file a declaration of candidacy with the secretary of the school board and must not be required to submit a petition;

(8) Modifies provisions relating to the election of trustees of a community college district in a district that contains the City of St. Louis. Specifically, the board must consist of seven members, six of whom must be elected to a six-year term, and one member at-large who must be appointed by the Coordinating Board for Higher Education. The bill specifies the powers of the board and requirements for serving on the board; and

(9) Repeals a provision enacted this year as Section 162.205 that prohibits any person from being a candidate for a member or director of the school board in any district where he or she has previously been employed as the district's superintendent.

The bill contains a severability clause and if any provision is held to be invalid for any reason, the decision must not invalidate all of the remaining provisions of the bill.

SCS SB 107 -- PROFESSIONAL REGISTRATION

This bill allows any board or commission within the Division of Professional Registration in the Department of Insurance, Financial Institutions and Professional Registration to issue, at its discretion, oral or written opinions addressing topics relating to the qualifications, functions, or duties of any profession licensed by any board or commission within the division. Any opinion is for educational purposes, is in no way binding on the licensee, and cannot be used as the basis for any discipline against a licensee. The bill specifies that a board or commission may not address topics relating to qualifications, functions, or duties of any profession licensed by a different board or commission.

The bill changes the laws regarding speech-language pathologists, speech-language pathology assistants, and audiologists. In its main provisions, the bill:

(1) Allows a speech-language pathology assistant to work under the direction of a licensed speech-language pathologist practicing for at least one year or a speech-language pathologist who is either employed by a federal agency or licensed by the Department of Elementary and Secondary Education;

(2) Requires an applicant for registration with the Board of Registration for the Healing Arts within the Department of Insurance, Financial Institutions and Professional Registration as a speech-language pathology assistant to furnish evidence of his or her completion of bachelor's level course work and clinical requirements in the field of

speech-language pathology as established by the board. Currently, an applicant must furnish evidence that he or she holds a bachelor's degree in speech-language pathology and has completed clinical practicum requirements equivalent to that required by a regional accrediting body recognized by the United States Department of Education or its equivalent;

(3) Repeals the requirement that a corporation engaged in the business of speech-language pathology or audiology who employs a licensed speech-language pathologist or audiologist must file a statement with the board specifying that the corporation submits itself to the rules and regulations of the board;

(4) Specifies that the licensing requirements do not apply to a person who holds a current valid certificate as a speech-language pathologist issued by the Department of Elementary and Secondary Education prior to January 1, 2016, who is an employee of a public school; or to any person completing the required clinical hours as long as he or she is under the direct supervision of a licensed speech-language pathologist and has not completed more than the number of clinical hours required by rule;

(5) Repeals the provisions requiring an applicant for licensure as a speech-language pathologist or audiologist to present written evidence of completion of a clinical fellowship;

(6) Specifies that following an administrative hearing proceeding and a finding that grounds for disciplinary action have been met, the board may also restrict or limit the person's ability to practice for an indefinite period of time;

(7) Requires every speech-language pathology assistant to provide and maintain at all times the employment information as the board deems necessary;

(8) Allows a person who has served as a member of the Advisory Commission for Speech-Language Pathologists and Audiologists for two consecutive terms to be reappointed until a lapse of at least two years has occurred following the completion of the person's two consecutive terms; and

(9) Repeals the provisions allowing a person to hold a provisional license to practice speech-language pathology or audiology.

SB 116 -- SCHOOL DISTRICT RESIDENCY

This bill creates an exemption from the proof of residency and domicile for purposes of school registration when the family of a student living in Missouri co-locates to live with other family members or in a military family support community because one or both of the student's parents is stationed out of state under certain military orders.

SB 141 -- CRIME VICTIMS' COMPENSATION PROGRAM

Currently, the Crime Victims' Compensation Fund can pay an eligible victim up to \$200 per week for the loss of employment and for injury or death. This bill raises that amount to up to \$400 per week.

The Department of Public Safety may negotiate directly with providers of medical care and other services on behalf of the victim with respect to the costs of the medical or services.

SS#3 SCS SB 142 -- IMPLEMENTATION IMPACT REPORTS

This bill requires the Department of Natural Resources, when developing, amending, or revising state implementation plans to address National Ambient Air Quality Standard nonattainment areas under the federal Clean Air Act, to comply with federal regulations relating to carbon emissions for existing-source performance standards or non-point source management plans under the federal Clean Water Act for submission to the United States Environmental Protection Agency (EPA), in collaboration with other pertinent state departments and the Public Service Commission, to prepare an implementation impact report instead of a regulatory impact report. The department must submit the implementation report and the proposed plan to the Governor, Joint Committee on Government Accountability, the President Pro Tem of the Senate, and the Speaker of the House of Representatives 45 days before final submission to the EPA and post the plan and report prominently on its website 45 days prior to submission and for at least one year after final submission to the EPA. The report must take into consideration the unique policies, energy needs, resource mix, reliability, and economic priorities of Missouri and must include specified criteria.

Before final submission of a plan to the EPA, the Joint Committee on Government Accountability may conduct at least two public hearings within 45 days of receiving the report and plan in order to seek public comment.

Nothing in the provisions of the bill must be construed as otherwise conferring upon the Public Service Commission or the Department of Natural Resources' jurisdiction over the service, rates, financing, accounting, or management of any rural electric cooperative or municipally-owned utility or to amend, modify, or otherwise limit the rights to provide service as otherwise provided by law. Nothing in these provisions can be construed to effect, limit, or supersede the provisions regarding the development of emissions standards for certain carbon dioxide sources.

SS SCS SB 145 -- TREATMENT OF EATING DISORDERS

This bill requires all health benefit plans delivered, issued for delivery, continued, or renewed on or after January 1, 2017, in accordance with current law requirements for coverage of mental health disorders, to provide coverage for the diagnosis and treatment of eating disorders. The bill requires that the provided coverage include a broad array of specialist services as proscribed as necessary by the patient's treatment team. Coverage under the bill is limited to medically necessary treatment, and the treatment plan must include all elements necessary for a health benefit plan to pay claims. Medical necessity determinations and care management for the treatment of eating disorders must consider the overall medical and mental health needs of the individual with the eating disorder, must not be based solely on weight, and must take into consideration the most recent specified guideline adopted by the American Psychiatric Association in addition to current standards based upon the medical literature generally recognized as authoritative in the medical community. Coverage may be subject to other general exclusions and limitations of the contract or benefit plan not in conflict with the provisions of the bill.

HCS SS SCS SB 149 -- TAX INCENTIVES FOR DATA STORAGE

This bill authorizes a state and local sales and use tax exemption for project taxpayers for all machinery, equipment, computers, electrical energy, gas, water, and other utilities, including telecommunication and Internet services, used in a new data storage center facility for a project period of up to 15 years from the date of conditional approval and subject to specified requirements. The bill authorizes a state and local sales and use tax exemption for purchases of tangible personal property for the construction of a new data storage center. The exemptions must be limited to the net fiscal benefit of the state calculated over a 10-year period. In order to receive the exemption, an application must be made to the Department of Economic Development for certification. The application must show that the project will result in at least \$25 million of new facility investment within 36 consecutive months and create at least 10 new jobs within 36 consecutive months with wages of at least 150% of the county average wage over a three-year period.

The bill authorizes a state and local sales and use tax exemption for project taxpayers for expanding data center projects for up to 10 years for all machinery, equipment, computers, electrical energy, gas, water, and other utilities, including telecommunication and Internet services used in an expanding data storage center. The exemption will only apply to the increase in expenditures for utilities over the expenditures prior to the expansion. In order to receive the exemption, an application must be made to the Department of Economic Development for certification. The application must show that the project will result in at least \$5 million of new facility investment during a period of up to 12 consecutive months and create at least five new jobs during a period of up to 24 consecutive months with wages of at least 150% of the county average wage.

The Department of Economic Development and the Department of Revenue must cooperate in conducting random audits to ensure compliance with the requirements of the bill.

HCS SB 156 -- BRIDGE AND HIGHWAY DESIGNATIONS

This bill designates:

- (1) The portion of State Highway 115 in St. Louis City from the intersection of Natural Bridge Avenue and Salisbury Street west to the intersection of State Highway 115 and Jennings Station Road as the Theodore McNeal Highway;
- (2) The portion of U.S. Highway 160 in Ozark County from the bridge that crosses Bryant Creek to a location two and one-half miles east of the bridge as the Jerry Corp Memorial Highway;
- (3) The bridge on State Highway 19 crossing over the Meramec River in Crawford County between the cities of Cuba and Steelville as the Betty Vickers Memorial Bridge;
- (4) The portion of Business Highway 71 from the Interstate 29 intersection traveling north for two miles and located in Andrew County as the Randy Bever Memorial Highway;
- (5) The bridge on Highway CC crossing over North Fork White River in Ozark County as the Irwin C. Cudworth Memorial Bridge;
- (6) The portion of Highway 10 from the western border of the city limits of Norborne in Carroll County to the eastern border of the city limits of Hardin in Ray County as the Ray-Carroll County Veterans Memorial Highway;
- (7) The portion of U.S. Highway 160 in Ripley County which is located within the city limits of Doniphan as the Billy Yates Highway; and
- (9) The portion of Highway 54 from the Grand Glaize Bridge in Camden County to Key Largo Road in Camden County as the Veterans Memorial Expressway.

HCS SB 164 -- FINANCIAL TRANSACTIONS

This bill changes the laws regarding financial transactions.

FOREIGN INVESTMENTS BY INSURANCE COMPANIES

Currently, insurance companies organized under Missouri law having assets of at least \$100 million may invest not more than 5% of their admitted assets in securities, investments, and deposits issued, guaranteed, or assumed by a foreign government or foreign corporation. The bill increases the percentage to not more than 20% with not more than 10% in a single foreign jurisdiction having a sovereign debt rating of SVO "1" or 5% of its admitted assets as to any other foreign jurisdiction.

An insurer is prohibited from acquiring, directly or indirectly through an investment subsidiary, a Canadian investment otherwise permitted under Missouri law if the aggregate amount of the Canadian investments then held by the insurer would exceed 25% of its admitted assets.

For any insurer authorized to do business in Canada or that has outstanding contracts on lives or risks resident or located in Canada, denominated in Canadian currency, the 25% limitation must be increased by the greater of the amount the insurer is required by applicable Canadian law to invest in Canada or be denominated in Canadian currency or 125% of the amount of the insurer's reserves and other obligations under contracts on risks resident or located in Canada.

The special investment cap for Canadian investments and limits on investments of all kinds issued assumed, accepted, insured, or guaranteed by a single person do not apply to insurers organized under Chapter 376, RSMo.

STANDARD VALUATION LAW

The Standard Valuation Law is established that requires Missouri insurers providing life, accident and health, annuity and pure endowment, or specified deposit policies to meet minimum standards of valuation for their financial reserves based on the valuation manual adopted by the National Association of Insurance Commissioners.

The Director of the Department of Insurance, Financial Institutions and Professional Registration must annually value or cause to be valued the reserves for all outstanding contracts of every company issued on or after the operative date of the valuation manual. The bill contains exceptions for valuation requirements for policies issued prior to the date of the valuation manual and specified time limitations based on the effective date of policies and the provisions of the bill. Every insurer regulated by the department director must annually submit the opinion of the appointed actuary showing compliance with the valuation manual to the department director. The criteria for the actuarial opinion is specified in the bill.

The bill specifies the criteria for the confidentiality of the information used in the valuation opinion submitted to the department director by insurers. This information is exempt from the provisions of the Open Meetings and Records Law, commonly known as the Sunshine Law, and may not be subject to subpoena and cannot be subject to discovery or be admissible in evidence in any private civil action. The department director is authorized to use the confidential information in the furtherance of any regulatory or legal action brought against the company as part of his or her official duties. Specified confidential information may be subject to subpoena for the purpose of defending an action seeking damages from the appointed actuary or may otherwise be released with the written consent of the company.

A company that is licensed and doing business in Missouri that has less than \$300 million of ordinary life premium may hold reserves based on the

mortality tables and interest rates defined by the valuation manual for net premium reserves using the methodology as specified in the bill as they apply to ordinary life insurance in lieu of the required reserves if it meets specified requirements.

QUALIFIED SPOUSAL TRUSTS

Currently, property held by a husband and wife as tenants by the entirety, joint tenants, or other form of joint ownership with right of survivorship must be deemed to be held as tenants by the entirety upon its transfer to a qualified spousal trust and must retain immunity from the claims of the separate creditors of the settlors. The bill specifies that a qualified spousal trust can include without limitation a discretionary power to distribute trust property to a person in addition to a settlor. All property at any time held in a qualified spousal trust, without regard to how the property was titled prior to it being so held, must have the same immunity from the claims of a separate creditor of either settlor as if the property were held outside the trust by the settlors as tenants by the entirety, unless otherwise provided in writing by the settlor or settlors who transferred the property to the trust, and the property must be treated for that purpose, including without limitation, federal and state bankruptcy laws, as tenants by entirety property. Property held in a qualified spousal trust must cease to receive immunity from the claims of creditors upon dissolution of marriage of the settlors by the court.

The respective rights of settlors who are married to each other in any property for purposes of a dissolution of the settlors' marriage must not be affected or changed by reason of the transfer of that property to, or its subsequent administration as an asset of, a qualified spousal trust during the marriage of the settlors unless both settlors expressly agree otherwise in writing.

A transfer to a qualified spousal trust must not avoid or defeat the Missouri Uniform Fraudulent Transfer Act and any transfer of an asset to a trustee of a trust, to the trust itself, or to a share of the trust, in a manner that is reasonably calculated to identify the trust or that share of the trust, subjects that asset to the terms of the trust or that share.

PROPERTY EXEMPTIONS FROM ATTACHMENT

The bill specifies that when a debtor is the beneficiary of a matured life insurance policy, the debtor may exempt from bankruptcy up to \$15,000 of the policy proceeds to be used for actual funeral or burial expenses when the deceased is the parent, child, or spouse of the debtor.

SB 166 -- SPECIAL LICENSE PLATES

Currently, any vehicle owner may apply for a special motor vehicle license plate inscribed with the words I Have A Dream. This bill changes the I Have A Dream license plate to the Dare to Dream license plate. All other provisions of the specialty license plate will remain the same.

HCS SS SCS SB 174 -- MISSOURI ACHIEVING A BETTER LIFE EXPERIENCE PROGRAM

The bill establishes the Missouri Achieving a Better Life Experience Program (ABLE). A participant can make tax-deductible contributions to an account established for the purpose of financing the qualified disability expenses of a designated beneficiary. Designated beneficiaries are persons who are eligible individuals who are entitled to benefits based on disability or blindness under the Social Security Act and the blindness or disability occurred prior to turning 26 years of age. Persons who are certified as disabled also qualify as eligible individuals. "Eligible individual" and "designated beneficiary" are both defined by reference to federal law.

The bill establishes the Missouri ABLE Board that is charged with establishing and administering the ABLE Program. The board is given power and authority similar to that delegated to the Missouri Higher Education Savings Program Board. The board can enter into participation agreements with participants on behalf of designated beneficiaries that are similar to those participation agreements entered into under the Missouri Higher Education Savings Program.

The bill permits participants to cancel a participation agreement at any time. However, the assets distributed upon cancellation must be subject to a penalty equal to or greater than 10% of the earnings of the account if the distributions do not meet the requirements of this program.

Beginning January 1, 2015, the bill exempts from taxation by the state or any of its political subdivisions the assets of any ABLE account and any income therefrom. Participants may deduct up to \$8,000 per participant or \$16,000 if married filing jointly from their adjusted gross income. The maximum annual and aggregate contribution amounts that can be contributed to an ABLE account may not be less than the amount established for qualified tuition savings accounts by the Missouri Higher Education Savings Program Board.

The bill requires the Director of Investment of the State Treasurer's Office to conduct a semiannual review of the program and report his or her findings to the board that must subsequently disclose the findings at a public meeting.

SCS SB 190 -- KANSAS CITY PUBLIC MASS TRANSPORTATION SALES TAX

Currently, the part of the public mass transportation sales tax imposed by the City of Kansas City in excess of 7.5% expires on December 31, 2015. This bill removes the expiration date.

SB 194 -- BUSINESS FACILITY TAX CREDIT

Currently, specified businesses may qualify for a tax credit for building a new facility or expanding an existing facility. The business must commence or expand operations by January 1, 2020, to qualify for the tax credit. This bill extends the date to January 1, 2025.

CCS HCS SCS SB 210 -- HEALTH CARE

This bill extends the sunsets from September 30, 2015 to September 30, 2016, for the Ground Ambulance, Nursing Facility, Medicaid Managed Care Organization, Hospital, Pharmacy, and Intermediate Care Facility for the Intellectually Disabled Reimbursement Allowance Taxes. The MO HealthNet Division cannot recover disproportionate share hospital audit recoupments from Truman Hospital when an intergovernmental transfer was used for the non-federal share of its disproportionate share hospital payments. The bill prohibits general revenue funds from being used to offset any expenditure of funds to pay recoupments to the federal government.

The bill specifies that if Missouri Medicaid audit and compliance changes any interpretation or application of the requirements for reimbursement for MO HealthNet services from the interpretation or application that has been applied previously by the state in any audit of a MO HealthNet provider, Missouri Medicaid audit and compliance must notify all affected MO HealthNet providers five business days before the change takes affect. Failure of the Missouri Medicaid audit and compliance to notify a provider of the change entitles the provider to continue to receive and retain reimbursement until notification is provided and waives any liability of the provider for recoupment or other loss of any payments previously made prior to the date of the notice. The bill requires providers to provide the Missouri Medicaid Audit and Compliance Unit with a valid email address and agree to receive communication electronically. The notification required must be delivered by the United States Postal Service or electronic mail to each facility.

The bill specifies that the provisions do not abrogate or limit the department's statutory requirement to establish rules under Chapter 536, RSMo.

SCS SB 224 -- A+ SCHOOLS PROGRAM

This bill requires a student to be a United States citizen or permanent resident in order to be eligible to receive reimbursements from the A+ Schools Program.

HCS SB 231 -- WATERCRAFT

This bill authorizes an exemption for motor fuel used exclusively

for watercraft in this state from the motor fuel tax and any state or local sales and use taxes. No taxes can be imposed or levied on any motor fuel delivered to any marina within this state who sells the fuel solely for use in any watercraft and is not accessible to other motor vehicles.

Currently, a taxpayer must pay the motor fuel tax with the purchase of the fuel and then request a refund of the tax from the Department of Revenue within one year of the purchase. The bill specifies that any motor fuel distributor who delivers motor fuel to a marina in this state for use solely in any watercraft at a location other than a Missouri marina may claim the exemption by filing a refund claim for the fuel tax paid from the Department of Revenue. Currently, the sales and use tax only applies to fuel not subject to the motor fuel tax.

The bill requires every class 2 recreational motorboat operating upon the waters of this state to carry two B1 type fire extinguishers, one B2 fire extinguisher, or a fixed fire extinguishing system and one B1 type fire extinguisher. Currently, it is required to carry one B2 or two B1 type fire extinguishers.

The bill authorizes an exemption for motor fuel used exclusively for watercraft in this state from the motor fuel tax and any state or local sales and use taxes. A tax cannot be imposed or levied on any motor fuel delivered to any marina within this state who sells the fuel solely for use in any watercraft and is not accessible to other motor vehicles.

Currently, a taxpayer must pay the motor fuel tax with the purchase of the fuel and then request a refund of the tax from the Department of Revenue within one year of the purchase. The bill specifies that any motor fuel distributor who delivers motor fuel to a marina in this state for use solely in any watercraft at a location other than a Missouri marina may claim the exemption by filing a refund claim for the fuel tax paid from the Department of Revenue. Currently, the sales and use tax only applies to fuel not subject to the motor fuel tax.

SS SB 239 -- STATUTORY CAUSE OF ACTION AGAINST HEALTH CARE PROVIDERS

Currently, Missouri follows the common law of England as of 1607, unless the General Assembly abrogates from the common law statutorily. This bill excludes from the English common law claims arising out of the rendering of or failure to render health care services by a health care provider.

The bill creates a statutory cause of action for damages against a health care provider for personal injury or death arising out of the rendering of or failure to render health care services. Currently, in any action against a health care provider for damages for personal injury or death arising out of the rendering of or the failure to render health care services, a plaintiff cannot recover more than \$350,000 for noneconomic damages. The bill specifies that in any action against a health care provider for damages, a plaintiff must not recover more than \$400,000 in

noneconomic damages for personal injury; no more than \$700,000 in noneconomic damages for a catastrophic personal injury, as defined in the bill; and no more than \$700,000 in noneconomic damages for death. These limitations must increase by 1.7% each year, and the value of the limitation must be calculated by the Director of the Department of Insurance, Financial Institutions and Professional Registration who must furnish the value to the Secretary of State who must publish the value in the Missouri Register. When a jury does return a verdict awarding noneconomic damages exceeding \$400,000, and upon a post-trial motion, the trial court must determine whether the limitation as provided in the bill must apply based on the severity of the most severe injuries.

If a court declares any part of the bill unconstitutional, the bill and the provisions it amends in their entirety must be invalid and have no legal effect as of the date of the judgment.

HCS SB 244 -- SENIOR SAVINGS PROTECTION ACT

This bill establishes the Senior Savings Protection Act that allows specified individuals associated with a broker-dealer to report the occurrence or suspected occurrence of financial exploitation of qualified adults. The bill defines "qualified adult" as a person who is 60 years of age or older or a person who has a disability as defined in the bill and is between the ages of 18 and 59.

The specified individuals associated with a broker-dealer may notify the Department of Health and Senior Services and the Commissioner of Securities as well as an immediate family member, legal guardian, conservator, co-trustee, successor trustee, or agent under power of attorney of the qualified adult if he or she believes that financial exploitation of a qualified adult has occurred, has been attempted, or is being attempted.

The specified individuals associated with a broker-dealer may refuse a request for disbursement from the account of a qualified adult or an account on which a qualified adult is a beneficiary or beneficial owner if the individual reasonably believes the request will result in financial exploitation. If the individual refuses disbursement, he or she must make a reasonable effort to notify all parties authorized to transact business on the account of the refusal within two business days. The individual must notify the department and the commissioner within three business days.

A broker-dealer, agent, or qualified individual who, in good faith and exercising reasonable care complies with these provisions, must be immune from any civil liability for actions taken in accordance with these provisions.

By September 1, 2016, the commissioner must develop and make available a website that includes training resources to assist broker-dealers and agents in the prevention and detection of financial exploitation of qualified adults.

CCS#2 HCS SB 254 -- MOTOR VEHICLES

This bill changes the laws regarding license plates and intoxication related offenses.

LICENSE PLATES

Currently, all license plates must be affixed horizontally to trailers, motorcycles, motortricycles, and motorscooters. The bill allows license plates to be fastened horizontally or vertically to trailers, motorcycles, motortricycles, and motorscooters provided that the letters and numbers are plainly visible.

The bill adds assistant physicians and physical therapists to the list of authorized health care practitioners who may issue a prescription for his or her patient to receive a disabled place card or license plate.

The bill changes the requirements for notice of transfer of interest in a motor vehicle to the Department of Revenue to allow for the electronic signature of the transferor and allows the notice to be effective even in the case of including minor errors that are not materially misleading.

The bill allows any individual who has received the Korea Defense Service Medal to apply for special motor vehicle license plates bearing the words "KOREA DEFENSE SERVICE MEDAL." To obtain the plates, he or she must submit an application to the Director of the Department of Revenue, furnish proof of eligibility for the plates as the department director may require, and pay a \$15 fee in addition to the regular registration fee. There must not be any additional fee for the personalization of the license plates.

The plates are not transferable to any other person, but in the event of the death of a qualified person, a registered co-owner of the vehicle must be entitled to operate the vehicle with the plates until they expire.

The bill changes the necessary contribution to obtain a God Bless America license plate from the World War II Memorial Fund to the World War I Memorial Trust Fund.

INTOXICATION-RELATION OFFENSES

Beginning January 1, 2017, the bill:

(1) Allows the Department of Revenue to extend the period a motorist is required to maintain the ignition interlock device on his or her vehicle by three months if the ignition interlock device detects an attempt to tamper with the device or detects an alcohol concentration above the set point within the last three months of the required installation period. The time must be extended until he or she has gone three months without any violations;

(2) Expands the list of offenses that allows an individual to receive limited driving privileges provided the he or she has an ignition interlock device installed;

(3) Removes the mandatory suspension period for alcohol related offenses but requires that an individual must have an ignition interlock device installed on his or her vehicle. Currently, except for a first time DWI offense, alcohol related driving offenses require a certain period of suspension before an individual is eligible for limited or restricted driving privileges;

(4) Removes the requirement that DWI courts cannot grant limited driving privileges to a participant for the first 45 days of participation;

(5) Defines "continuous alcohol monitoring" as automatically testing breath, blood, or transdermal alcohol concentration levels and tampering attempts at least once every hour and regularly transmitting the data; and

(6) Authorizes the court to order the defendant to submit to continuous alcohol monitoring for any DWI, driving with an excessive BAC, boating while intoxicated, and boating with an excessive BAC case.

SB 272 -- CITY OF COLUMBIA COMMERCIAL ZONE

This bill adds Boone County to the municipal commercial zone previously established for the City of Columbia. The bill extends that zone north from the city limits along U.S. Highway 63 to State Route NN and west and south along Route NN to State Route 124 and east along State Route 124 to U.S. Highway 63. The zone must also extend east from the city limits along State Route WW to the intersection of State Route J and continue south on State Route J for four miles.

SB 317 -- CONVEYANCE OF STATE PROPERTIES

This bill allows the Governor to convey state properties located in Pulaski County, Christian County, St. Charles County, and St. Louis County to the State Highways and Transportation Commission.

SB 318 -- HIGHWAY DESIGNATIONS

This bill makes the following highway designations:

(1) A portion of Business Highway 71 in Andrew County as the Randy Bever Memorial Highway;

(2) The portion of U.S. Highway 10 in Carroll and Ray counties as the Ray-Carroll County Veterans Memorial Highway; and

(3) The portion of U.S. Highway 160 in Ripley County that is located within the city limits of Doniphan as the Billy Yates Highway.

SCS SB 321 -- COURT ORDERS OF PROTECTION

This bill changes the laws regarding court orders of protection. In its main provisions, the bill:

- (1) Adds causing or attempting to cause another person to engage involuntarily in a sexual act without his or her consent to the definition of "sexual assault";
- (2) Adds that an individual who resides in the same household with the individual seeking the order of protection and it is reasonable in individuals' situation to have been alarmed by his or her conduct to the definition of "Stalking";
- (3) Replaces repeated acts in the definition of "course of conduct" with two or more acts; and
- (4) Allows a victim of sexual assault to be granted an order of protection from the court.

SB 334 -- INSTITUTION OF HIGHER EDUCATION

This bill changes the laws regarding institutions of higher education.

STATE TEACHERS COLLEGES (Section 174.030, RSMo)

The bill repeals provisions that limited state teachers colleges from conferring postgraduate degrees except those necessary to the training of teachers or degrees other than those in education and arts and sciences.

HARRIS-STOWE STATE UNIVERSITY (Section 174.310)

The bill broadens the degree programs that Harris-Stowe State University may offer. Currently, Harris-Stowe is only authorized to offer undergraduate degree programs with an emphasis on selected applied professional disciplines. This bill authorizes Harris-Stowe to offer baccalaureate degree programs and graduate degree programs, upon approval of the Coordinating Board for Higher Education.

NORTHWEST MISSOURI STATE UNIVERSITY (Section 174.332)

Currently, membership on the Northwest Missouri State University's board of regents is based in part on residency in the university's historic statutory service region. The bill adds the counties of Andrew, Clinton,

and DeKalb to the historic service region for the sole purpose of the composition of the board of regents.

HCS SCS SB 336 -- INCOME TAX WITHHOLDING ON CASH TIPS

Currently, Missouri follows the federal Internal Revenue Code on how to determine the amount of cash tips that is taxable. This bill limits the calculation of state income tax withholding on tips received by an employee in the course of his or her employment to the amount of total tips reported to the employer in a written statement or, if greater, the amount of tips received by the employer and remitted to the employee. If an employee shares tips, the employer must withhold only from the employee who actually received the shared tips. The bill specifies that an employer's withholding tax obligation to the Department of Revenue is limited to the portion of an employee's wages under the control of the employer and reported tip income required to be reported under federal law.

SCS SB 340 -- PROBATE LAW

This bill changes an intersectional reference to the statute which specifies the time period that a will must be presented before a person can file a petition in the probate division for the administration of an estate to determine the heirs when administration of the estate has not commenced and the decedent does not have a written will.

HCS SCS SB 341 -- PROTECTION OF VULNERABLE PERSONS

This bill changes the laws regarding the protection of vulnerable persons.

OFFICE OF CHILD ADVOCATE (Section 37.719, RSMo)

The bill allows the Office of Child Advocate to conduct an audit of any county entity including children's division, juvenile office, and guardian ad litem processes when the office receives three or more review requests for the same county entity in a calendar year. The audit may include record requests and inquiries for information with the goal of improving the delivery of services and the efficiency of processes and procedures. The office may produce findings and recommendations based on the audit which will be forwarded to the Office of State Courts Administrator and the Children's Division within the Missouri Department of Social Services.

CHILD ABUSE AND NEGLECT HOTLINE POSTERS (Section 160.975)

The bill requires each public school and charter school to post in a clearly visible location in a public area of the school that is readily accessible to students a sign in English and in Spanish that contains the

toll-free child abuse and neglect hotline number established by the Children's Division within the Department of Social Services. Each school must post signs containing the same information in all student restrooms in the school, to allow for private access to the information by students of either gender. The information contained on the signs must be presented on a poster at least 11 inches by 17 inches in size, contain large print, and be placed at eye level to the student for easy viewing. The hotline number must be displayed in bold print and the signs must contain instructions to call 911 for emergencies and directions for accessing the division's website for more information on reporting abuse, neglect, and exploitation. The bill requires the division to create an acronym to help children to remember the toll-free child abuse and neglect hotline number.

IMMUNIZATION OF CHILDREN (Section 210.003)

The bill requires all public, private, and parochial day care centers, preschools, and nursery schools to notify the parent or guardian of each child at the time of initial enrollment in or attendance at the facility that he or she may request notice of whether there are children currently enrolled in or attending the facility that have an immunization exemption on file. Beginning December 1, 2015, all public, private, and parochial day care centers, preschools, and nursery schools must notify the parent or guardian of each child currently enrolled in or attending the facility that the parent or guardian may request notice of whether there are children currently enrolled in or attending the facility for whom an immunization exemption has been filed. Upon request, the facility must notify the parent or guardian if there are children currently enrolled in or attending the facility that have an immunization exemption on file.

REPORTS OF CHILD ABUSE COMMITTED BY JUVENILES (Section 210.148)

The bill specifies that upon the receipt of a hotline report of child abuse or neglect where the subject of the report is any person, less than 14 years of age, who has allegedly committed sexual abuse against another younger child, the Children's Division within the Department of Social Services must immediately communicate the report to the appropriate local office along with any relevant information as may be contained in the information system. Upon receipt of the report and information, the local office must use a family assessment and services approach to respond to the allegation contained in the report. These provisions cannot prohibit the local office from commencing an investigation if it, at any point in using the family assessment and services approach, determines that an investigation is required. The investigation must comply with specified provisions and may include requesting assistance from the appropriate law enforcement agency.

SAFE SLEEP PRACTICES (Sections 210.221 and 210.223)

The bill authorizes the Department of Health and Senior Services to approve training concerning the safe sleep recommendations of the American Academy of Pediatrics.

The bill requires all licensed child care facilities that provide care for children less than one year of age to implement and maintain a written safe sleep policy in accordance with the most recent safe sleep recommendations of the academy.

When an infant requires alternative sleep positions or special sleeping arrangements, the facility must be provided with written instructions, signed by the infant's licensed health care provider, detailing the alternative sleep positions or special sleeping arrangements for the infant. The facility must put the infant to sleep in accordance with the written instructions.

All employees of licensed child care facilities who care for infants less than one year of age or any volunteer who may be assisting at the facility are required to successfully complete department-approved training on the most recent safe sleep recommendations of the academy every three years.

The department must establish rules that include:

- (1) Amending any current rules which are not in compliance with the most recent recommendations of the academy, including the rule that permits the use of bumper pads in cribs or playpens;
- (2) Keeping soft or loose bedding away from sleeping infants and out of safe sleep environments; and
- (3) Prohibiting blankets or other soft or loose bedding from being hung on the sides of cribs. The department may adopt emergency rules to implement these requirements.

COMMUNITY CHILDREN'S SERVICES FUNDS (Section 210.861)

Currently, before taking office an individual elected treasurer by a community children's services fund must furnish a surety bond that meets specified requirements. The bill adds the option of furnishing comparable insurance coverage for theft, misappropriation, mismanagement, or other acts that otherwise meet the specified requirements for a surety bond under these provisions. The board must not be mandated to expend funds by an act of state legislation without a majority vote of the county or St. Louis City, excluding St. Louis County. The bill prohibits any county or St. Louis City, excluding St. Louis County in which voters have approved the levy of a tax under these provisions from adding services in addition to those currently permitted by the provisions of the bill at the time the levy is approved by voters unless the voters approve the additional services in the same manner as the original levy was approved.

ORDERS OF PROTECTION (Sections 455.010 - 455.538)

Current law allows a person, including a child, who has been subject to domestic violence by a family or household member or any person who has been the victim of stalking to be granted an order of protection. The bill permits the courts to also grant protective orders to victims of

sexual assault. Currently, in the provisions relating to orders of protection, "sexual assault" is defined as causing or attempting to cause another to engage involuntarily in any sexual act by force, threat of force, or duress. The bill adds causing or attempting to cause another person to engage involuntarily in a sexual act without that person's consent to the definition.

SCS SB 345 -- FINANCIAL TRANSACTIONS

This bill changes the laws regarding financial transactions.

The bill increases specified fees paid to the Director of the Division of Finance within the Department of Insurance, Financial Institutions and Professional Registration. The increases include:

- (1) The investigation fee that must be submitted with an application to obtain or renew a license to issue checks in this state from \$100 to \$300;
- (2) The fee that may be assessed for amending and reissuing an existing license to issue checks in this state from up to \$100 to up to \$300;
- (3) The annual license fee for an individual to engage in the business of a financing institution from \$300 for each place of business to \$500 for each place of business;
- (4) The annual registration in order to engage in the business of a premium finance company from \$300 to \$500. Any revised statement of a registration form must be accompanied by a fee of \$300 instead of the current \$100;
- (5) The annual licensing fee for an individual to engage in the business of a sales finance company from \$300 for each place of business to \$500 for each place of business;
- (6) The annual registration fee for a lender of small loans from \$300 to \$500;
- (7) The fee that the director may charge a credit service organization that files a registration statement from not to exceed \$100 to not to exceed \$300; and
- (8) The annual license fee for a lender of unsecured loans of \$500 or less from \$300 per location to \$500 per location.

Currently, the fee amount that a lender may charge on a loan for 30 days or longer that is not an open-end credit loan is 10% of the principal amount loaned, not to exceed \$75. The bill changes that to 10% of the principal amount loaned, not to exceed \$100.

The bill requires a person seeking a mortgage broker license to pass a written examination designated as the Nationwide Mortgage Licensing

System and Registry's National Test Component with Uniform State Content for Mortgage Loan Originator Licensing.

SS SCS SB 354 -- AMINO ACID-BASED ELEMENTAL FORMULAS

This bill requires the Department of Health and Senior Services to provide coverage, through state and federal appropriations, for the full cost of amino acid-based elemental formulas for children under 19 years with a medical diagnosis of specified allergies, syndromes, or disorders.

SS SB 366 -- MISSOURI HIGHER EDUCATION SAVINGS PROGRAM

This bill allows a participant in the MOST Program to elect to contribute all or part of his or her personal income tax refund to his or her MOST account via direct deposit. The amount must be at least \$25 and must be as a contribution for the tax year in which the refund is issued. The election must be made on a form prescribed by the Department of Revenue and may not be changed or revoked.

The bill exempts from state income taxation refunds of qualified higher education expenses received by a beneficiary from an eligible educational institution in connection with withdrawal from enrollment at the institution when the refund is contributed to a qualified tuition savings program within 60 days of withdrawal.

The provisions of the bill will become effective only upon notification by the State Treasurer to the Revisor of Statutes of the passage of H.R. 529 of the 114th United States Congress.

SS SB 373 -- ALCOHOL AND TOBACCO ENFORCEMENT

This bill creates the Division of Alcohol and Tobacco Control Fund and requires 70% of the fees collected for liquor licenses and permits to go to the fund. Money in the fund must be used solely by the Division of Alcohol and Tobacco Control within the Department of Public Safety for the administration of the liquor control laws and laws prohibiting the sale of tobacco to minors and any duties relating to licensing, training, technical assistance, and regulations.

SB 392 -- FRATERNAL BENEFIT SOCIETY AGENTS

Currently, there are two categories of individuals within a fraternal benefit society that must not be deemed an agent of a fraternal benefit society requiring insurance agent licensure. They are:

(1) Any regular salaried officer, employee, or secretary who devotes substantially all of his or her services to activities other than the

solicitation of insurance contracts and receives no commission or other compensation directly dependent upon the amount of business obtained; or

(2) Any member representative of a society that insures its members against death, dismemberment, and disability resulting from accident only which pays no commission or other consideration for the collection of premiums for the contracts.

This bill changes the second category of individuals exempt from insurance agent licensure to be any member representative of any fraternal benefit society who devotes, or intends to devote, less than 50% of his or her time to the solicitation and procurement of insurance contracts for the society. A member representative is deemed to devote 50% or more of his or her time to the solicitation and procurement of insurance contracts if he or she solicited and procured insurance contracts in an amount of insurance in excess of \$50,000 or writes contracts on more than 25 individuals.

SB 405 -- COUNTY COLLECTION FEES

Currently, a county collector must collect a specified amount of fees for collecting local taxes. In counties where the total amount levied in a year is between \$350,000 and \$2 million, the fee is 2.5% on the first \$350,000 collected and 1% on the rest. In counties where the total amount levied exceeds \$2 million, the fee is 1% on all amounts collected. This bill raises the outer threshold amount for a county to be eligible to collect the 2.5% on the first \$350,000 to \$3 million.

SB 426 -- COMMUNITY MENTAL HEALTH LIAISONS

This bill changes the laws regarding information and records compiled, obtained, prepared, or maintained by a residential facility, specified mental health program, specialized service, or any mental health facility or program that allows an individual to be civilly detained pursuant to Chapter 632, RSMo, while providing services to the voluntary or involuntary patient. The bill permits facilities, programs, and services to disclose information and records, upon request, to individuals designated by the Department of Mental Health as community mental health liaisons for the purpose of coordination of care and services. Designated community mental health liaisons are added to the list of individuals that must be provided, upon request, confidential records and files maintained in a court proceeding under Chapter 632.

SCS SB 435 -- CONVEYANCE OF STATE PROPERTY IN ST. LOUIS COUNTY

This bill allows the Governor to convey the state's interest in specified property owned by the state in St. Louis County to the county. The instrument of conveyance must include a statement recognizing the special

relationship between the state and St. Louis County with regard to the use of the property and specifying that the state and county must continue to cooperate regarding the use of the property.

CCS HCS SCS SB 445 -- ENVIRONMENTAL PROTECTION

This bill changes the laws regarding environmental protection.

SOLID WASTE

The bill changes the laws regarding solid waste. In its main provisions, the bill:

(1) Changes the provisions regarding the audit of solid waste management districts by the State Auditor. Currently, the State Auditor must conduct an audit of each solid waste management district and must thereafter conduct audits of each district as he or she deems necessary and may request reimbursement from the district for the costs of conducting the audit. The bill allows the State Auditor to conduct audits of solid waste management districts as he or she deems necessary and if the State Auditor does request the reimbursement, the district must reimburse the State Auditor for the costs with the moneys deposited into the Petition Audit Revolving Trust Fund. The reimbursement must be limited to 2% of the district's annual allocation;

(2) Revises the independent financial audit requirements. A district receiving more than \$800,000 of financial assistance annually must have an annual independent financial statement audit, while districts receiving between \$250,000 and \$800,000 are required to have an independent financial statement audit every two years. All other districts must be monitored every two years by the department and may be required to arrange for an independent financial statement audit for the monitoring period under review. Currently, a district receiving \$200,000 or more of financial assistance annually is required to have an annual independent financial audit while districts receiving less than \$200,000 are required to have the audit at least every two years;

(3) Requires the department to conduct a performance audit of grants to each district at least once every five years or as deemed necessary based upon district grantee performance. Currently, the department must conduct a performance audit of grants to each district at least once every three years;

(4) Adds textiles to the products solid waste management districts are required to address the recycling, reuse and handling of in its solid waste management plan;

(5) Prohibits the executive board of a solid waste management district from performing solid waste management projects that compete with a qualified private enterprise;

(6) Specifies that a person or entity cannot be disqualified from receiving a grant for providing solid waste management and recycling services on the basis that there exists a familial relationship between the applicant and any member of the solid waste management district executive board within the fourth degree by consanguinity or affinity. For applicants with a familial relationship, the board must only approve the grant application if approved by a vote of two-thirds of the board. The executive board member must abstain from a vote to award a grant application to any person or entity who is a relative within the specified degree or the member must forfeit membership on the solid waste management district executive board and the solid waste management district council;

(7) Requires the department to prepare model solid waste management plans;

(8) Requires the model waste management plans to provide for economical recycling and waste management through regional and district cooperation. Currently, it requires the plan to provide for economical waste management through regional cooperation;

(9) Repeals the provisions requiring any county within a region that is not a member of a district to submit a solid waste management plan to the department;

(10) Extends the moratorium on increasing the demolition landfill tipping fee and the transfer station tipping fee from October 1, 2017, to October 1, 2027;

(11) Establishes the criteria that a solid waste management district may consider in establishing the order of district grant priority. Any allocated district moneys remaining in any fiscal year due to inadequate grant applications must be reallocated for grant applications in subsequent years or for solid waste projects other than district operations. Any allocated district moneys remaining after five years must revert to the Solid Waste Management Fund;

(12) Establishes a time line for the department to approve or deny a grant application;

(13) Revises the membership and duties of the Solid Waste Advisory Board; and

(14) Requires the board hold regular meetings on a quarterly basis. A special meeting of the board may occur under certain conditions.

SULFUR DIOXIDE AIR QUALITY

The bill requires any owner of a coal-fired electric generating source in a one-hour sulfur dioxide National Ambient Air Quality Standards nonattainment area currently designated as of April 1, 2015, to develop an ambient air quality monitoring or modeling network to characterize the sulfur dioxide air quality surrounding the source. The network must adequately monitor the sulfur dioxide surrounding the source and must

operate for at least 12 consecutive quarters. The owner of the source must notify the Department of Natural Resources of the manner that will be used to characterize the air quality around the source. The location of any monitoring network installed by the owner within a nonattainment area must be approved by the department.

Affected sources in an undesignated area that elects to use monitoring to evaluate air quality must be consulted by the department on the use of existing monitors as well as the location of new monitors in the network. The department must not submit a recommendation to the federal Environmental Protection Agency (EPA) on the manner in which data will be gathered for the designation process that is inconsistent with the elections made by the sources. If sources have elected to monitor, the department must submit recommendations for the designation process by the date set by a final, effective, and applicable EPA requirement but not prior.

The bill also requires the department to consider all ambient air quality monitoring network data collected by any owner of an electric generating source prior to proposing to the Air Conservation Commission any sulfur dioxide limitation, emission reduction requirement, or other requirement except in specified circumstances. Nothing in the provisions of the bill can prohibit the department from entering into an agreement with an owner of an electric generating source to limit or reduce sulfur dioxide emissions that is below the source's permitted rate.

HCS SCS SB 456 -- OWNERSHIP OF MOTOR VEHICLES

This bill changes the laws regarding the ownership of motor vehicles.

TRANSFERRED LICENSE PLATES (Section 301.140.1, RSMo)

Currently, the operation of a motor vehicle with transferred license plates is lawful for 30 days. The bill allows a dealer that is selling a vehicle prior to obtaining a certificate of ownership 90 days to transfer the license plates.

TEMPORARY PERMITS (Section 301.140.4)

Currently, the Director of the Department of Revenue or a motor vehicle dealer may issue a temporary permit authorizing the operation of a motor vehicle or trailer by a buyer for not more than 30 days. The bill extends the temporary permit to 90 days if the dealer is selling the vehicle prior to obtaining the certificate of ownership.

CERTIFICATE OF OWNERSHIP (Section 301.190)

Currently, a person acquiring a motor vehicle is required to apply for a certificate of ownership within 30 days of acquiring the vehicle. The bill requires the person to apply for a certificate of ownership 30 days

after receiving the title from the dealer if the dealer did not have the certificate at the time of the purchase.

ELECTRONIC SIGNATURE FOR TITLE TRANSFER (Sections 301.196 and 301.645)

The bill changes the requirements for notice of transfer of interest in a motor vehicle to the Department of Revenue to allow for the electronic signature of the transferor and allows the notice to be effective even in the case of including minor errors that are not materially misleading. The bill allows the use of an electronic signature for a motor vehicle owner to assign ownership of a motor vehicle or trailer to an insurance company where the insurance company has paid or is paying a total loss claim on the motor vehicle or trailer.

MOTOR VEHICLE DEALER TITLE REQUIREMENTS FOR USED MOTOR VEHICLES (Section 301.213)

Currently, a motor vehicle dealer is authorized to purchase or accept in trade any motor vehicle for which there has been issued a certificate of title. The bill modifies this provision to include a certificate of ownership. Once the vehicle has been delivered to the dealer, the prior owners' insurable interest in the vehicle ceases. The bill specifies that the dealer must provide to the Department of Revenue a surety bond or irrevocable letter of credit in an amount not less than \$100,000 in lieu of the \$25,000 bond otherwise required for licensure as a motor vehicle dealer.

If a dealer receives specified documents, they may sell the vehicle prior to receiving and assigning a certificate of ownership to the purchaser. To sell a vehicle under this provision the dealer must prepare and deliver to the purchaser an application for title for the vehicle in the purchaser's name, and enter into a written agreement for the subsequent assignment and delivery of the certificate of ownership within 60 days after delivery of the motor vehicle to the purchaser. The agreement must require the purchaser to provide to the dealer proof of financial responsibility and proof of insurance. The dealer must maintain a copy of the agreement, and deliver a form to the Department of Revenue showing that the purchaser has purchased the vehicle without contemporaneous delivery of the title. If all requirements specified in the bill including these requirements are met they will constitute evidence of an ownership interest in the vehicle.

Currently, following a sale in which a certificate of ownership was not assigned from the owner to the dealer, the dealer must apply for a duplicate or replacement certificate of ownership within five business days. The bill modifies this requirement to 10 business days.

If the dealer fails or is unable to deliver a certificate of ownership to the purchaser, and the purchaser of the vehicle is damaged, the dealer is liable for actual damages, plus court costs and attorney fees. If a seller misrepresents to a dealer that they are the owner of the vehicle, and certain parties are damaged as a result, the seller must be liable to the party for both actual and punitive damages, plus court costs and attorney fees. When a lienholder is damaged as a result of a licensed

dealer's acts, errors, omissions, or violation of this provision, the dealer will also be liable for actual damages, plus court costs and attorney fees. The Department of Revenue may use a dealer's repeated or intentional violation of these provisions as a cause to refuse to issue or renew any license. The hearing process will be the same as currently established for suspended or revoked licenses.

SB 463 -- TAX CREDITS

Currently, the Residential Treatment Agency Tax Credit is set to expire on December 31, 2015, and the Developmental Disability Care Provider Tax Credit is set to expire on December 31, 2016. This bill extends both programs indefinitely.

SB 474 -- HEROES WAY DESIGNATION PROGRAM

Currently, the Heroes Way Interchange Designation Program allows for designations of interstate or state-numbered highway interchanges for members of the United States Armed Forces killed in action while performing active military duty with the Armed Forces in Afghanistan or Iraq on or after September 11, 2001. This bill changes the name of the program to the Heroes Way Designation Program, allows for the designation of bridges or segments of highway on the state highway system, and allows a designation for any member of the United States Armed Forces killed in action while performing active military duty.

SB 497 -- SPECIAL PURPOSE DISTRICTS

This bill changes the laws regarding special purpose districts.

DISSOLUTION OF SPECIAL PURPOSE DISTRICTS (Sections 67.950 and 67.955, RSMo)

Currently, a special purpose district may be dissolved upon a majority vote of the district. The election may be called upon the filing of a petition signed by at least 8% of the voters of the district or upon the motion of a majority of the members of the governing body.

The bill requires the petition to be filed with the clerk of the circuit court of the county in which the district is located or, if the district is in more than one county, the circuit court clerk of the county having the largest acreage within the district. The bill requires additional information to be included with the petition, including a description of the boundaries, an allegation that the operation of the district is not in the best interests of the inhabitants of the district, and a detailed plan for the payment of the district's debt. The petitioners must pay \$50 to file the petition with the court.

The bill specifies that, if the governing board of the district determines the dissolution is not in the public interest, the district must oppose the petition. The bill specifies the hearing process for the petition of dissolution and contains notice requirements. The district, voters and landowners of the district may file exceptions to the dissolution no less than five days before the hearing date. The court must consider the exceptions and evidence in support of the petition. Unless the petitioners prove that all debts of the district can be paid in full upon dissolution, the petition must be dismissed.

If the court finds it is not in the public interest to dissolve the district, the court must dismiss the petition. If the court finds it is in the public interest, the court must enter a decree providing for the submission of the question of dissolution to the voters. If the voters approve the question by a majority, then the court must order the district dissolved. The court must provide for the disposition of the district's property.

WATER SERVICE (Section 393.015)

Currently, any sewer provider may contract with a water corporation to terminate water service to any customer premises for nonpayment of a sewer bill. The bill allows a sewer provider to contract with any municipal water service or water district for termination of water service for nonpayment of a sewer bill.

FINDING OF AFFORDABILITY (Section 644.145)

Currently, the Department of Natural Resources is required to perform a finding of affordability when issuing permits under the Missouri Clean Water Law for discharges from certain publicly owned treatment works. The bill also requires that the finding of affordability be performed when issuing permits for discharges from water or sewer treatment works.

Currently, the definitions of "affordability" and "finding of affordability" are measured by whether an individual customer or household with an income equal to the lower of the median household income can pay the utility bill without undue hardship. The bill specifies the measurement would be whether the household with an income equal to or lower than the median household income can pay the bill without hardship and without making unreasonable sacrifices in the individual or household's lifestyle.

COMMUNITY IMPROVEMENT DISTRICT VOTES (Section 1)

The bill specifies that an individual must not cast more than one ballot in any election for the board of directors of a community improvement district.

SB 500 -- HONEY

Currently, sellers of jams, jellies, and honey whose annual sales are \$30,000 or less per location are exempt from the requirement to maintain

separate facilities for the manufacture of the items. This bill removes jams and jellies from this requirement and increases the annual sales level to \$50,000 before a seller is required to maintain separate facilities for the bottling of honey.

Currently, sellers of honey are exempt from all remaining health standards and regulations for the manufacture of honey if they meet certain requirements. The bill exempts sellers of honey from health standards and regulations for the bottling of honey if they meet certain requirements, including that the honey be bottled in the location of the person harvesting the honey. The bill removes the requirement to display a placard in a prominent location during the sale of honey that states that the product has not been inspected by the Department of Health and Senior Services.

SB 524 -- FINANCIAL INSTITUTION FEES

This bill prohibits any contractual fee charged by a bank, trust company, association, or credit union for overdrawing the balance of a deposit account from being deemed as interest.

SCS SB 539 -- PASSPORT SERVICES

This bill allows the county commission, or a county officer designated by the county commission, to take or process applications for passports, or their renewal, if the court clerk in the circuit in which the county is located does not offer this service. Fees charged for the service are retained by the county office that provides the service.